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PROSTITUTION.



A STUDY IN SOCIAL PHYSIOLOGY

PROSTITUTION

UNDER THE

REGULATION SYSTEM

French and English

BY YVES GUYOT

MEMBER OF THE CONSEIL MUNICIPAL OF PARIS

TRANSLATED FROM THE FRENCH

BY

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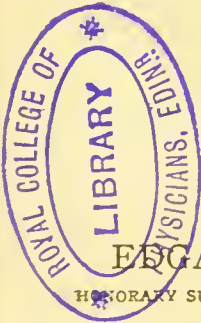
WITH TWENTY-FIVE DIAGRAMMS

LONDON

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YORK STREET, COVENT GARDEN

MDCCCLXXXIV



TO MRS. JOSEPHINE BUTLER,

General Secretary of the Federation for the Abolition of Official Prostitution.

I PUT this book under the protection of your name, not only as a testimony of the veneration in which I hold your character, and of the admiration which I feel for your intelligent labours, but also in order that women, seeing it here on this first page, may all understand that this book may, and ought to be, read by them.

Ignorance of the monstrous details of official prostitution and of its social consequences alone keeps up its existence. When women, who as wives and mothers are the most interested in this question, perceive the influence which it exercises at every fireside ; when they see, that after having instituted official monogamous marriage, the State authorizes the police to organize a polygamy and a polyandry no less official, they will cease to bow before the aphorisms of the heirs of Chrysale, when these latter tell them that it would be indecent for women to look into these mysteries ; and women will bestow upon the consideration and precautions shown towards them the thanks merited by such a second hand edition of the morality of *Tartufe*.

Then every woman will have the consciousness, that in defending the individuality, liberty, and respect due to the poorest, most abandoned, and most degraded, we are defending the reverence due to woman from the barbarous brutality which man, under appearance of a more or less refined gallantry, still brings to bear on his relations with her.

Yours faithfully,

YVES GUYOT.

May, 1882.

LETTER TO THE TRANSLATOR.

DEAR SIR,—I beg to thank you for the translation which you have made of my book on Prostitution, and so much the more sincerely as I did not count on such an honour in England; in obedience to our French prejudices relative to British *cant*, and forgetting that Dr. Charles Bell Taylor, Mr. Stansfeld, Dr. Nevins, Lord Derwent, Mrs. Josephine Butler, Mrs. Emilie Ashurt Venturi, and others, in your country, had long ago asserted their right to examine into this question. The inquiries instituted for the House of Commons into the Contagious Diseases Acts, and for the House of Lords on the law relating to the protection of young girls, prove that now it is no longer thought that the best way of resolving the question is to refuse to study it.

In France the Morals Police suited the Police agents and Police doctors very well indeed, and was conducting its operations as if it were an infallible institution, and one whose rights were not to be questioned, when, in 1876, some one who had no interests in the matter, for the first time had the idea of asking aloud what this institution was, on what legislative Acts it was based, and what were its results. When I brought it before the Municipal Council of Paris, and when I took it time after time before the *Chambre des Députés*, virtuous and sensitive eyes considered that I was failing in respect to all the conventionalities, as if, in this age of scientific investigation, there are inquiries that are allowed and others which are to be kept back.

Edward About¹ relates that in Papal Rome, scarcely more than a score years ago, in the amphitheatre of the School of Medicine, care was taken to cover dead bodies with the vine leaf, and the obstetric art was taught to the students by means of a model. And why should proceedings like these, in the

¹ "La Question Romaine," 1879, p. 71.

course of instruction relative to the organs and physical results of sexual relations, make us smile for pity, if we find it a shocking thing to study the social results of these relations in all their naked and horrible details? A book on Prostitution is no more indelicate than a medical work on obstetrics.

It is a curious phenomenon, but one that is easily explicable, that those people who raise cries of alarmed modesty when certain bold individuals are desirous of drawing this question out of the shadow to exhibit it in full daylight, are precisely those who theoretically and practically encourage recruiting, kidnapping, and registration of prostitutes by the authorities, and who are purveyors for the public harem, and defenders of official prostitution.

But now, in spite of all their efforts, the question of prostitution is put forward as a legitimate object of free discussion in every country. It is no longer simply the appanage of the Police and their coadjutors, the Doctors. Since the date when the first edition of my book was published (in May, 1882), facts of considerable importance have occurred in England, Italy, and France. Allow me to make a short resumé of these facts, so as clearly to define the point we have attained up to the present time.

England.—The Committee of Inquiry of the House of Commons had, in August, 1882, made two reports. One, the report of the majority, composed of nine members; the other, that of the minority, composed of six members. That of the majority demanded the maintenance of the Acts in the stations where they were established, but, by a singular contradiction, did not ask for their extension, recognizing the fact that public opinion was against them, and stating that this fact ought to be taken into account.

The report of the minority proved, by the figures it produced, that the Acts were a failure in every respect.

Discussion took place in the House of Commons, the 20th April, 1883, on the motion of Mr. Stansfeld: "That this House disapproves of compulsory examination of women under the Contagious Diseases Acts."

After a splendid speech from Mr. Stansfeld, and a debate in which Mr. Osborne Morgan, Colonel Stanley, Mr. Thorold Rogers, Mr. Cavendish Bentinck, the Marquis of Hartington, Sir Stafford Northcote, Mr. Whitbread, Mr. Gorst, and Mr. Childers, took part, Mr. Stansfeld's motion was carried by 182 votes to 110—that is, by a majority of 72 votes. This vote does

not imply complete suppression of the Acts ; but without compulsory examination, the Contagious Diseases Acts have no *raison d'être*.

The English Government immediately suppressed compulsory examination ; only it adopted the following resolution :—That a woman may voluntarily go for examination to certain special hospitals ; if she is found to be diseased, she will be admitted, and detained in conformity with the provisions of the Contagious Diseases Acts. The certain result of this juggling may be foreseen. The fear of being detained will keep away from the hospital all women who stand in need of being cured. It is probable that in taking this singular resolution the English Government took ironical means, after the manner of Swift, of demonstrating to all men the necessity of completing as soon as possible the destruction of these odious laws.

Italy.—Almost at the same moment, on the 24th April, in the Chamber of Deputies, Dr. Bertani, Messrs. Cavaletto, Sydney Sonnimo, Bovio, &c., belonging to different parties of the Chamber, brought forward a proposition for the nomination of a Commission of Inquiry. M. Depretis begged them to withdraw their motion, pledging himself to institute a commission in which all opinions and dispositions should be represented. M. Bertani acted on this promise, but it has not yet been fulfilled.

Belgium.—On the 11th May, M. Paul Janson, in a speech in which he pointed out the urgent need of many reforms, drew the attention of the Chamber of Representatives to the question of prostitution. M. Rolin Jacquemyns, the Minister of the Interior, said, in reply, that he considered it to be a very serious question, and declared that he would proceed to look into it.

France.—The question of refusing to vote the supplies for the Prefecture of Police was put by MM. Hovelacque and Yves Guyot at the *Conseil Municipal* of Paris, in the sittings of the 11th and 15th December, 1882. This budget had only been voted by 41 votes against 32. It was the votes of the Right which made up the complement.

The question of the dispensary was discussed on the 20th December. After a speech by M. Yves Guyot, supplies for this purpose were only voted by 33 votes against 31. Those even who voted them, hastened to nominate a new commission to study the question of the *police des mœurs*.

This commission chose as its president M. Sigismond La-

croix, now deputy for Belleville. In a remarkable report, Dr. Fiaux exhibited the labours of the commission, which resulted in the following conclusions, conformable to the doctrines which I have unceasingly defended :—

THE COUNCIL,

Considering that the actual institution of the *Police des mœurs* does not rest upon any legal basis ;

Considering that, in spite of innumerable attacks annually upon personal liberty, it has not succeeded in producing the results at which it aimed from the double standpoint of the diminution of syphilitic diseases, and of the repression of offences against the common law, offences against morals, &c. ;

Considering that prostitution is neither a crime, nor an offence, any more than syphilis is ;

RESOLVES THAT :

1ST ARTICLE.

The following shall be suppressed, dating from the first January, 1884 :—

I. The 2nd Bureau of the 1st Division of the Prefecture of Police, named the Bureau of the *Police des mœurs* ;

II. The Brigade of the *Police des mœurs*, incorporated on the 9th March 1881, with the *service de la sûreté* ;

III. The sanitary dispensary of the Prefecture of Police ;

IV. The 2nd Section of the prison of Saint-Lazare and the special infirmary of the said prison.

2ND ARTICLE.

The Prefect of Police be invited :

I. To study a system of organization which will substitute the *Gardiens de la Paix* and the Police Commissaries of the Quartier, for the actual agents of the *Police des mœurs*, in matters concerning the police of public order in respect of women who live as prostitutes ;

II. To issue new decrees concerning prostitution, taking as an exclusive basis the indications given in the present report, infractions of these decrees being for the future referred to competent tribunals ;

III. To revise the statutes of all Societies for mutual aid, great Associations, &c., so that the medicines and attendance required for venereal diseases shall be allowed just as for any other disease.

3RD ARTICLE.

The *Administration de l'Assistance publique* be invited to proceed, with the least possible delay :

I. To the transformation of the *Hôpitals du Midi* and *de Lourcine* into General Hospitals ;

II. To the drawing up of rules which shall formally authorize the admission of venereal cases into general hospitals ;

III. To the establishment in general hospitals of an Out-Patient Department, with gratuitous allowance of baths and medicines ;

IV. To the extension of means for securing the safety of children and of girls under adult age who are left to themselves, so as to prevent the recruiting of prostitution.

4TH ARTICLE.

The credit set apart in the special Budget of the Prefecture, for the service of the *Police des mœurs* (bureau, brigade, and dispensary), be and shall be carried forward to the Budget *de l'Assistance publique*, for the purpose of facilitating the new organization, dating from the 1st January, 1884.

If brothels are established anywhere, and the prostitutes who inhabit them create disturbance and scandal, it is in the power of the landlords and tenants of the neighbouring houses to bring an action for damages against them for the injury thereby caused. The tribunals of Flers applied this rule by sentencing the tenant of a tolerated house, in an action brought against him by a manufacturer, to pay as damages 50 francs daily, or 18,000 francs yearly, as long as this trade was continued, and that up to the sum of 300,000 francs (£12,000). But on the 26th June, the Court of Caen reversed the decision of the preceding judges, considering that as this establishment had been authorized by a decree of the *Maire*, the neighbours had no right to complain. The Court of Caen in this way unconsciously gives a new and excellent argument against official brothels.

In September last, the British Continental and General Federation met at the Hague and confirmed the Resolutions of the Congresses of Geneva and of Genoa. Organized by the aristocratic and conservative party in Holland, it showed that men of widely differing political opinions are able to unite in the closest bands in order to denounce those measures which, under the pretext of Hygiene and Public Morality, only succeed in committing the most revolting outrages against humanity.

We see that ever since the commencement of the campaign, we have every year gained ground and obtained some success. The *police des mœurs* is a nocturnal institution. A little light penetrating the darkness in which it works, and showing some of its hideous aspects, was all that was necessary to make us reject this institution with horror. In vain does it still endeavour to envelope itself in shadow, making M. Camescasse refuse M. Fiaux the documents which he had asked for for his report. Its etiology, morphology, constitution, destination, and functions are now known. It is in the midst of our civilization a monstrous creation, which will before long rejoin Torture and Slavery in the Museum of Ancient Horrors.

YVES GUYOT.

October, 1883.



LETTER TO THE TRANSLATOR.

PARIS, 15th February, 1884.

DEAR SIR,—Since the appearance of the last edition of this book in France, very important events have taken place here. Allow me in a few words to point them out to you.

In the Municipal Council, the discussion on the *Police des mœurs* took place on the 22nd of December, 1883, with respect to the vote of credit for the Dispensary.

M. Fiaux and I demanded its immediate rejection. Out of 62 voters, we were beaten by 32 against 30—*i.e.*, by a majority of 2 votes—the same figures as last year. The members of Council who voted the credit of the dispensary excused themselves, however, by saying that it was only a provisional vote ; they demanded that the actual service should be maintained, while they reserved their opinion of it until there had been a thorough discussion of the report of M. Fiaux. That is how matters stood in the Municipal Council. Since 1876 the partisans of the system have not ceased to beat a retreat, making use here and there of the lag-behinds. The next municipal elections will take place in May, and no doubt the result will be a substantial majority against the system.

As regards the Prefect of Police, he did not even speak. Previous debates, in which he had taken part, had taught him that he had no arguments to support this institution, of which his predecessors had been for such a long time so proud.

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And, indeed, why should he speak? The Prefect of Police, in accord with the Minister of the Interior, fervently hoped that he had finished with the Municipal Council. The Minister of the Interior had, in fact, brought in a Bill to make the whole of the budget of the Prefecture of Police a simple chapter of the budget of the Minister of the Interior. According to this plan, the Prefect of Police would not appear any more at the Municipal Council: he would not be responsible to it at all.

This Bill was read for the first time, after a five days' discussion, from the 15th to the 21st January.

It was presented to Parliament as a guarantee of security; its first result was to cause an insurrection amongst the police agents.

From the special point of view of the *Police des mœurs*, there is a particularly serious side to the question. The *Police des mœurs* has been re-attached bodily to the Ministry of the Interior. It has passed with the rest as an integral part of the service. In the Chamber no one has raised the question. The Ministry did not support it, and the opponents of the Bill did not attack it, on the field of combat.

But see what has resulted from this fact. Up to now the *Police des mœurs* was an institution of which the illegality was scarcely denied by its most fervent defenders. Now that it has hypocritically slipped into a position amongst the other services, it will raise its head and say, "I am an institution of the State; I am consecrated by the Chamber of Deputies and by the Senate; I constitute a part of the law; I am recognised; I have a civil status; I am in order!"

This new position gives it a strength of which it had been hitherto destitute.

Then, in the Municipal Council, it had seen its majority diminishing every year; it was only supported by a majority of two voices—very weak voices—and ready to give way; it foresaw its irremediable fall. Now, behold it seated in the Senate, in the Chamber of Deputies, and reinstated by Government. If any one

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wishes to approach the subject, immediately the virtuous deputies and the no less virtuous senators cry out, with the modest airs of Diana and her nymphs surprised whilst bathing, "What! to dare to disturb the important debates of our Assemblies by introducing to us such a question! Our chaste ears refuse even to hear the very name pronounced; these are mysteries over which we must draw a modest veil. No matter what is going on below, we refuse to raise it."

If the introducer does not yield to wise counsels, he will hear raised against him all kinds of protestations and accusations. It will be in vain for him to say that the House of Commons did not refuse to discuss these questions, and that if they have not roused British *cant*, they may well be worthy of the attention of a French Chamber, where they will be annihilated by jokes and jests of the kind produced by the affair of Mme. Eyben.¹

This question used to be discussed in the Municipal Council. At the Chamber of Deputies and in the Senate it can no longer be brought forward, except after long delays, or unless some gross scandal has arisen. This is not one of the least inconveniences of the re-attachment.

However, we must not despair. The majority which voted for the re-attachment was only 32, and that includes 17 votes of the Ministry—265 against 233; in reality, it was a minority.

We have the right to consider this law as a provisional law, which will not survive the parliamentary elections of 1885, even if it lasts till then. From this time forward we shall not cease to agitate this question in the Municipal Council. We shall discuss M. Fiaux's report; we shall, without doubt, adopt it; and thence will arise a conflict between the Government and the Municipal Council, which will at least bring on a movement favourable to our cause.

The towns, other than Paris, remain the masters of their *Police des mœurs*; they can suppress it from day

¹ See page 174.

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to day if they wish : we shall try to get some Municipal Councils to adopt this proceeding. In so doing, we shall decentralize the struggle ; but I am bound to say (and it is a disgrace to the Republican Municipal Councils of large towns) that they have not so far dared to follow the example set by Paris in seriously studying this question. They inscribe our beautiful device, " Liberty, Equality, Fraternity," on the monuments, where all the horrible and degrading mysteries of the *Police des mœurs* take place, and the strength of existing prejudice is such that they are not shocked by the frightful contradiction between these noble words and the deeds which are committed under their protection.

YVES GUYOT.

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THIRD PART.

THE ABOLITIONISTS.

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ERRATA.

- Page 193, line 1, for *present* read *prevent*.
,, 299, ,, 18, ,, *Beton* read *Acton*.
,, 214, ,, 24, delete *trichinous*.
,, 225, ,, 9, for *worldy* read *worldly*.
,, 317, ,, 32, ,, *including both soft and infecting sores*
read *soft, non-infecting*.
,, 318, ,, 30, ,, *an imaginary disease* read *a non-*
constitutional, unimportant affection.



PROSTITUTION.

FIRST PART.

SOCIAL ORGANIZATION OF OFFICIAL PROSTITUTION.

CHAPTER FIRST.

DEFINITION OF PROSTITUTION.

- I.—Words—Effects of words—Excommunication—Words in place of facts—The word *prostitution*—The idea of caste—Apology for the prostitute.—Nomenclatures.
- II.—Littre's definition—Men are prostitutes—¹ Polygamy and polyandry—Prostitution in monogamy—Prostitution the opposite of pleasure—Prostitutes are from the north—Definition of prostitution.
- III.—Basis of the family—Monogamous and polyandrous prostitution—The *femme galante*—The common prostitute—The *cocotte*—The *fille en carte*—The *fille de bordel*—The object of the system.

I.

To accept words instead of things, to content oneself with words, to dispute about words : such is the history of all man's intellectual aberrations. He is driven to this by two opposite tendencies : need of certainty, and indolence in inquiry.

The result of this is that he lumps together a whole order of phenomena, more or less connected, by a word more or less expressive and precise. He comprehends in this word, creatures of all kinds ; and when he has once contracted the habit of repeating this word to himself or to others, he no longer observes the facts of the case : he only attaches his belief to the word.

¹ Polygamy used in this book in the sense of polygyny.

As soon as the word is pronounced in his presence, some of his cerebral cells begin to act ; and by reflex action he utters a series of incoherent but already-formed ideas upon the question which is before us.

Descendants of the theologians of the Middle Ages, and heirs of the nation of fools so carefully elaborated by our old university ; with our minds full of the formulas of our lawyers, and the dogmas of our priests, and moulded by a *mémoria technica* education ; instead of being brought up to observe facts, we are accustomed to think in the abstract, so that in the sciences we take energy, motion, matter, race, species, &c.—which are simply convenient terms for classification—for realities, having an existence of their own.

If in regard to such matters as these we commit such errors, we do worse when we enter upon the examination of social questions. We create for ourselves entities, such as order, morality, religion, society, and then, on the pretext of defending order, morality, religion, and society, the stronger crush down the weaker. In the same way as Calino discovers that the forest prevents him seeing the trees, behind these words we no longer see the individuals without whom, nevertheless, there would be neither society, religion, morality, nor order amongst men.

The word “prostitution” immediately calls up in most European minds the image of women waiting at street corners, or shut up in brothels, alluring the passers-by ; and we imagine that these women belong to a category of their own ; that they are born so ; that they form a special caste, instituted by the decrees of Providence for the satisfaction of the requirements of men with an ardent temperament, and as safeguards of the family. Stern moralists have made the apology of the prostitute in order the better to mark her social rôle. M. Lecky, in his *European Morals*, says :

“The prostitute, the supreme type of vice, is at the same time the most efficacious guardian of virtue. But for her, the unattacked purity of innumerable domestic hearths would be sullied, and more than one woman who, in the pride of a chastity preserved from temptation, only thinks of this miserable female with disgust mingled with indignation, would have known the tortures of remorse and despair. The passions which would perhaps have filled the world with ignominy, glut themselves upon this degraded and ignoble creature. Whilst creeds and civilizations spring up, pass along and disappear,

she remains, eternal priestess of humanity, and blasted for the sins of the people."

When we hear such blasphemies, we ask ourselves whether we have not moved into some country where caste is observed, like India or ancient Egypt. Is there, then, a social condition to which certain creatures inevitably belong, in which they must remain, and whence they must not emerge, and which is called prostitution? Doubtless it is convenient to the administrative spirits who wish to pigeon-hole all human activities in their bureaux, that they should arrange persons in symmetrical categories, and say: "You belong to the administration! you, to the magistracy! you, to the clergy! you, to dissent! and you to prostitution!"

In the old census-tables it was easy to set down that there were in France 36 millions of people belonging to the Roman Catholic religion; but in what degree? to what point did their Catholicism extend? did it limit itself to baptism?

The same for prostitution. Where does it begin? where does it end? what are its limits?

This will never be any embarrassment to administrators, who have become machines for ticketing and condensing. This does embarrass the men who desire to take some pains in observing and reflecting.

II.

Littré defines prostitution as "abandonment to immodesty."

If this definition is correct, we ought to call a man who possesses or has possessed many women, a prostitute. All the young men of the Quartier Latin, the future defenders of order, of the family, and of society, sowing their wild oats; ninety-nine hundredths of our officers and soldiers; our successful dandy gallants, Don Juans of the boudoirs, Lovelaces of isolated intrigues, common runners after women, young snobs, old wantons, unsettled husbands, all have been, are, or will be, prostitutes. This qualification ought to attach to every one who does not enter as a virgin into the nuptial bed, or who does not remain faithful to it. Prostitution of the masculine sex is a condition which is general, and almost universal.

You say, That is not true. So be it; but then Littré's definition is a false one.

And if in our societies, based upon monogamy, you refuse to

bestow the epithet of prostitute on a man who is polygamous, can you apply it to a woman who is polyandrous? By a corrupted use of words we often scathe her with this term for distinction's sake: it is unsuitable, for it is applicable to quite another order of facts.

You may say of parents who have married their daughter to an infirm and disgusting old man, solely for money considerations, that they have prostituted their daughter, and the word is correct. You may say of a young man who marries a rich old woman that he prostitutes himself, and the word is correct. And yet in these cases there is no question of multiple acts of immodesty or debauchery; they are cases of monogamy sanctioned by law. You may in like manner say of the journalist who sells his pen that he prostitutes himself; of the politician who sells his votes, that he prostitutes himself; and the word is correct.

After these examples, we have a right to conclude that the word, prostitution, does not apply to frequency of sexual intercourse in either of the sexes; and that to give it this acceptance is to confound it with such words as debauchery and lasciviousness.

The word prostitution, bears quite another meaning.

Sometimes in a moment of plain speaking, prostitutes will say to their clients:—"Do you think that we do this for our pleasure?" Look at Grevin's drawings, which represent the loose morals of Paris with such faithfulness. The women call their client a "*muffe*." At another stage they call him a "*micet*." The uglier, older, more infirm and repulsive he is, the more he is "important," because he must pay more. The counsels which the actresses' mothers and the procurers give to young women may be summed up thus:—"It will advance you very much to make love to this handsome dark fellow! . . . no coyness! You must be reasonable, my girl!" If the mistress of the house wishes to praise one of her boarders, she says:—"Fanny is a good girl, she works well." Not one of the expressions of this vocabulary comports with the idea of pleasure, of sensual enjoyment, of satisfaction derived from sexual relations; all, on the contrary, express the idea of work, effort, and repugnance conquered in prospect of gain.

If prostitution gives occasion to acts of immodesty and debauchery, the woman who is a prostitute only commits them for the satisfaction of her clients. As she herself says:—"Men are so exacting!" The debauched and immodest man it is

who seeks for and pays for debauchery. The woman who is a prostitute does not follow debauchery for her personal pleasure ; she exercises a trade.

Southern nations have the reputation of being eaten up by aphrodisiac appetites : if the sexual passion were the stock-in-trade of prostitutes, they ought all to belong to the South. In Paris, on the contrary, the great majority come from the *départements* of the North, impelled by difficulties in the struggle for existence, the need of gaining, and the desire of amassing, money. Statistics published in the 3rd edition of Parent-Duchâtelet are proof of this point.¹

From 1845 to 1851.						Registered Prostitutes.
La Seine, supplied	...	...	...	...	...	1153
Seine Inferieure,	...	...	...	...	...	288
Seine-et-Oise,	...	...	...	...	...	253
Nord,	...	...	...	...	...	186
Aisne,	...	...	...	...	...	183
Seine-et-Marne,	...	...	...	...	...	180
Oise,	...	...	...	...	...	174
Somme,	...	...	...	...	...	165
Moselle,	...	...	...	...	...	155
Pas-de-Calais,	...	...	...	...	...	145
Loiret,	...	...	...	...	...	113
Yonne,	...	...	...	...	...	103
Eure-et-Loir,	...	...	...	...	...	99
Sarthe,	...	...	...	...	...	99
Marne,	...	...	...	...	...	98
Eure,	...	...	...	...	...	94
Meuse,	...	...	...	...	...	94
Meurthe,	...	...	...	...	...	91

I know that we must take into account the population of each department, and the radius of supply ; but still if you take the south-west direction, you stop immediately after *Loiret*, whilst the eight departments to the north of Paris come first.

Prostitution, to the woman who abandons herself to it, is the exact contrary of the satisfaction of sexual appetite.

The senators of the Rue Marbœuf were not prostitutes ; that word is only suitable to the Empress's dragoons who gave themselves up to them. M. de Germiny had queer tastes ; young Chouard alone was the prostitute.

We may say then, that : *A prostitute is any woman for whom sexual relations are subordinated to the question of gain.*

¹ Parent-Duchâtelet, *La Prostitution*, 3rd ed., 1857, t. I, p. 69.

III.

There are very few lawful marriages into which the question of gain does not enter: the parents calculate the dowry of the girl, the estate and position of the aspirant; all examine their respective "expectations," and the notaries register the conditions of sale. In what degree is there prostitution on the part of those who are thus conjoined? In many cases it is easy to tell. "He has not married her for her beauty, for certain; but she is rich." "He is a fright, but has a fine future before him." "The dowry makes so much pass without notice." These are common sayings. The woman is sometimes pitied. Her fair friends say that, "She must have a good deal of courage." Some of them make game of her, like the fox and the grapes. They laugh a little at the buyer; but what matters it? The act is lawful and accepted by all. Joseph Prudhomme declares that it is the basis of the family, since it is easy to prove at the very first glance that if a woman takes no help-mate she will have no children.

In a union which is free—that is, outside the great caste of the married—it is often more difficult to say in what measure the question of interest enters into the sexual relation. It (*i.e.*, the question of interest) has not been regulated by notarial act. It may be nothing on either side, it is almost always absolutely nothing on one side. In Paris, where, according to Dr. Bertillon's calculations, more than a tenth of the households (say 40,000), are constituted in this way, a large indulgence is accorded to women in this condition; for whilst it is very evident that it is not her passions which have caused her to make over her services to a man attacked with satyriasis, and that she constantly repeats sexual intercourse with the same individual, people will never dream of adding fresh blame to the blame already heaped on her by puritans for the initial act.

But if her acts of prostitution, instead of being frequently repeated with the same man, are repeated with different men, then social morality becomes severe; it rejects this woman from what is called regular society—regular, doubtless, because its regularity is composed, especially, of irregularities covered by a thick layer of hypocrisy.

A woman then is not considered a prostitute by reason of the intensity or frequency of her acts of prostitution, but by

reason of the number of individuals with which she commits them.

If this woman only commits these acts in a certain station, if she surrounds them with a certain refinement, if she is so happy as to live in luxury, she is only a woman of gallantry. But if this woman is poor, if she is too ugly or has no charm sufficient to be able to withdraw from the business, then she is stigmatized as a "common prostitute." Society throws this woman in the river or the sewer, and has no metaphor coarse enough to express all its scorn.

The *Fille Elisa* created a scandal, because M. de Goncourt left the region of the *demi-monde*, where fluttered the *Dames aux camellias*, the *Lorettes* and other *Lionnes*, in order to glance at the poor girl.

"The kept mistress," the *cocotte*! (we smile as we pronounce her name) has newspapers solely devoted to her habits, and to the recital of the remarkable actions of the favourite, or clever, ones. The *fille en carte* is looked upon with disgust. A man who acknowledges relations with the first, does not acknowledge any with the second. The "woman of the brothel" is the last in the scale, and the *fille en carte* herself says, haughtily, "I am no woman out of a brothel!"

From the instant that acts of prostitution repeated with divers men are abominable, are, from the standpoint of morality and public health, a calamity, the police who imagine that they represent society, have only to employ themselves as follows:—

A woman has committed acts of prostitution more or less proven, without lawful forms; she has had one or more lovers, either because she was in love with them, or for gain; then the police employ all the social forces at their disposal, either arbitrarily or with the law on their side, to constrain the woman upon whom they have made claim, to live only by prostitution, and to repeat with a perpetually increasing frequency, her acts of prostitution. They go out of their way to transform her, who was only a prostitute at certain moments, and by accident, into one who is completely and permanently such.

So that this police administration, which affirms that prostitution is an evil—a necessary evil, it is true—has only one aim: to manufacture "common prostitutes," who can be nothing else but prostitutes, and who are condemned to remain prostitutes for life.

Society, like a good mother, is obstinately bent upon forming a class of women carrying on a trade in such conditions as

8 SOCIAL ORGANIZATION OF OFFICIAL PROSTITUTION.

excite her disdain ; and in order to succeed, has instituted a system, the "French system," as M. Lecour, with the pride of ignorance, calls it, and which has as its ideal the making as rapidly and upon as large a scale as possible, the kept mistress into a *fille en carte*, and the *fille en carte* into a woman of the brothel.

This system is called, doubtless by antiphrasis (or *Lucus a non lucendo*), the Morals Police (*police des mœurs*).

We will now study its different operations and their consequences.

CHAPTER SECOND.

HISTORY OF THE ORGANIZATION OF OFFICIAL PROSTITUTION.

- I.—The Morals Police—"French system"—Solon—M. Voisin and Charlemagne—Castes—Athens—The Erotylæ—Rome—Flora—Augustus—Tiberius—Taxes—Suppression of Prostitution—Notification of Infamy—Theodora's Prudery—Charlemagne—Louis le Debonnaire.
- II.—Clandestine, and open, Prostitution—Prostitution and the Corporations—Ordinance of Saint Louis, 1254—Its Efficaciousness—The Abbey of Toulouse—Geneva—Strasburg—The Soldiers.
- III.—Question of Toilette—Honest Women.
- IV.—Ordinance of 1560—Ordinance and Regulations of Louis XIV.—Louis XV. and La Dubarry—Ordinances of 1778 and 1780—Abuse of Power—Health—Morality of the Police, and of the Public—Conclusion.

I.

IF the "Morals Police" really merited the title of the "French system," my patriotic feelings would suffer, but I should recognise its nationality from my love for the truth. Happily its origin is much higher and more noble. To go back to classical antiquity alone, it is due to the sage, Solon. Speaking of him and of this institution, the poet Philemon exclaims :

"O Solon! You are truly the benefactor of mankind, for they say that it was you who thought of a thing most advantageous to the people, or rather to the public health. Yes, it is with reason I say this, when I consider our city full of young people with warm temperaments, and who in consequence would rush to intolerable excesses! For this you have purchased women and put them in places where, supplied with all that is necessary for them, they become common property for all those who wish for them."

We shall re-discover the arguments of the poet Philemon, diluted in the books of Lecour, Parent-Duchâtelet, and the other police documents, in the following form :

Organization of public prostitution is necessary in the interest of public health ;

Prostitution is an evil which is necessary for the sake of the safety of families ;

Prostitution ought to be confined to tolerated houses.

A new title to glory for the Athenian legislator: he uttered the final word expressing the system!

In 1876,¹ at the Conseil Municipal, the Prefect of Police, M. Voisin, in reply to the question, "Upon what law do you take your stand?" answered, with solemnity, "I take my stand upon the Capitulaires of Charlemagne." He was too modest. It would have been much more majestic to have said, "I take my stand upon the laws of Solon!"

It is easy to understand that in a civilization of caste, of classes clearly defined, and of slavery, a legislator should have endeavoured to make a caste of prostitutes. They were lodged in the avenues of the Ceramicus, and under the arcades of the Long Portico, within reach of the sailors who frequented the port of Athens. They were obliged to wear garments embroidered with flowers, and had a special tribunal before which to settle their differences. They were at first supported at the expense of the Republic.

It is said that Solon himself made a profit out of companies of prostitute slaves. Aspasia, wife of the great Pericles, gave herself up to this kind of industry, which had in it nothing dishonourable. It was calculated that some slaves could scarcely ask a greater price than 2 oboli (3 pence); others would receive 1 drachma (9½ pence); but a slave of medium beauty and talent earned 1 stater (15 shillings) daily, and was worth from 20 to 30 minae (£75 to £112 10s.) We see two Athenians buying Neaera for 30 minae (£112 10s.), and when they are tired of her, offering her her freedom for 20 minae (£75.)

In the great centres of commerce, as at Corinth, at Coman in Phrygia, at Eryx in Sicily, &c., the temples, especially those of Venus, had slaves of this kind, known by the sacred name of Erotylæ. At Ephesus they numbered a thousand. Looked upon as a source of attraction for foreigners, and of gain to the country, they enjoyed certain privileges and distinctions.

Amongst the Romans there was a system analogous to that at Athens. The aim of the police was to keep every one in his own station: it watched over the citizens, and busied itself with the doings of every-day life, in order to insure observance of the moral and religious traditions of the city. In consequence of this, the clandestine prostitute failed in her duty, since she did not inform the Republic of her situation, and so she was punished by fine and banishment, if she did not get

¹ 2nd December.

her name inscribed by the aediles on the registers. "Our fathers," said Tacitus, "thought that a woman was sufficiently punished by the simple declaration of her immodesty." They had their own quarter, and wore special costumes—short and open togas, red shoes, white wigs, and mitres, like those of our bishops. If we may believe Lactantius, they were not looked upon with disfavour when these formalities were complied with. One of them, Flora by name, gave all her goods to the Republic on condition that annual games, to be celebrated in the spring, should be instituted in her honour, and the Senate accepted the legacy. In these games, the women appeared naked, fought with one another, ran races, wrestled with young men, acted scenes such as the rape of the Sabines, and gave themselves up to all the lascivious and obscene gestures which might attract a population that was hot-blooded and not over-refined. Besides this, these spectacles were renewed in fêtes to Venus, Marsyas, Hermes, Pertunda, and Volupia. In the ordinary theatrical games, it was not rare to see semi-nude women appear upon the stage, and enact, without the least reservation, scenes at once elaborate and indecent. Tertullian says that at the end of these representations a herald proclaimed the names, addresses, and price of the girls.

Amongst the predecessors of the makers of modern regulations, we must mention the virtuous Augustus, who, in spite of his virtue, used to preside at banquets where the mysteries of Olympus were parodied; the chaste Tiberius, who, as compensation for his orgies at Capraea, regulated debauchery in Rome; and the virtuous Caligula, who taxed prostitutes at a *pro rata* of their scale of prices, and, like a good merchant, established a richly-decorated brothel in the Imperial Palace. Not only did he bring together there women and young men, but slaves went with a list of names of women to the public places of resort to invite clients; and to those who had no money, money was lent at interest. The inscription of the debtor's name upon the registers was an honour to him, for it showed that he had contributed to increase the Emperor's revenues.

Vitruvius has described the brothels. The ruins of Pompeii have shown us their arrangement.

Alexander Severus wished to suppress prostitution. He published the names of the women pointed out by the police as giving themselves up to it, or living by it. Persons who were free-born could not contract marriage with women freed

by a brothel-keeper.¹ Laws of Diocletian and Maximian forbade senators to marry, not only prostitutes, but even daughters of brothel-keepers. The Roman law made of procurers and prostitutes a caste loaded with infamy; and notification of infamy had positive legal consequences: such as were thus pointed out, could not possess property, have charge of their children's education, obtain public employment, be heard upon oath in a court of justice, or bring forward an accusation there.² They could not, by changing their mode of life, remove this stain; for, said the law, turpitude is not abolished by intermission.³ Poverty could not be pleaded as an excuse.⁴ If a slave became free, and had obtained part of his competency out of trade in slave girls, this mark of infamy attached to him.⁵

It is with difficulty that we comprehend the working of this system; but the abuses for which it made an opening were but of little importance in a hierarchical society, based upon slavery, where human individuality counted for nothing, and where it was considered that the suffering and misery of people who had neither title nor means of defence was of no importance.

Valentinian also suppressed prostitution, showing that the previous suppression had not been very effectual; he also punished it with cruel penalties.

At Byzantium, Theodora (the daughter of Acacius, the bear-warden and belluarius), a girl brought up amidst the circus-people, and from her infancy playing in pantomimes, in buffo rôles, where she appeared before the sailors of the port, to whom she afterwards abandoned herself, became the wife of the Emperor Justinian, who, being in love with her, remembered God's commandments:

Chair ne désireras
Qu' en mariage seulement.

Espoused thus to virtue, she wished to show herself worthy of such great fortune, and expiated for her past sins by means of her old (female) comrades. She collected five hundred of these, and shut them up in an abandoned palace situated on

¹ Cit. xlii., *Ex corp. jur.* Ulpian.

² Leg. 43. ff. *de ritu. nuptiar.* libr. xxiii., tit. ii. *in princip.*, et § 7, 8 et 9; et lib. iii., tit. ii., § 2. *De his qui not. infamiâ*, ff. leg. 15 et mul., *de curat. fur.*, &c., et *ibi gloss*; leg. 12, *cui bono, de verb obligat.*; leg. 4, *is qui, de accusat. et in script.*; libr. iii., tit. ii., *de his qui not. inf. et gloss*; LENOCUI, *In leg qui judic. de accusat.*

³ Leg. 43 ff., *de ritu nuptiar.* § 4, tit. ii.

⁴ *Ead. leg.*, § 5.

⁵ *Id.*, leg. 41, et libr. iii., tit. ii., § 3, *de his qui not. inf.*

the Bosphorus. Many perished in the sea in seeking to escape.

We frequently find such accesses of chastity in the history of the regulation of prostitution, having the same consequences and justified in the same way.

Certain barbarous tribes treated prostitutes with severity. Amongst the Goths, any girl or married woman who was known to give herself to the trade of prostitution, was arrested, condemned to receive three hundred lashes with the whip, and banished for ever. If she reappeared in the city and conducted herself as before, she again had three hundred lashes with the whip, and was then placed as servant with some poor person, and forbidden to appear in the sight of the people.

Charlemagne devoted a capitulary to the suppression of prostitution; but the great Emperor was not himself an example of chastity, so that there were, even in his court, many women living in libertinage.

Louis le Debonnaire, on his accession, condemned such women to wander about the country for forty days, naked from head to waist, and bearing on their forehead a bill or label, on which was written the cause of their condemnation.

II.

The purpose held in view by those who, without wishing to suppress prostitution, attempted to regulate it, was that of transforming clandestine into authorized prostitution. They said to women :—

“Prostitute yourselves! we ask nothing better; but you must have the sanction of authority!”

In the Middle Ages, and under the old régime, prostitution followed all the phases of the different trade guilds. The rules to which it was subject were analogous to those of other corporations.

In Paris it had its own organization, statutes, special judges, and patron saint. It had, yearly, a procession on the *jour de la Madeleine*. Debauchery in the Middle Ages was characterized by a violence which we scarcely comprehend now-a-days. To go and see a girl of light character was neither more nor less than damnation. People went notwithstanding, and with so much the more ardour. The risk of paying for it in hell took away the vulgarity of the short-lived pleasure, and added a

powerful dramatic attraction to a facility which made the affair a weary one. When once a man had cast his soul to the devil, he got as much as he could for the price. The man's enjoyment was multiplied by his terror of hell. When he had lost his soul, he no longer looked at his money, but emptied his purse to the last penny. "Vive la joie! I am one of the damned!"

In this many-sided society prostitution occupied one in which it was very much at its ease. As every trade guild had its street with its own name, cordwainers, blacksmiths, hemp dressers, basket makers, tanners, &c., so prostitutes had streets entirely to themselves; and we see, by their number, the important position that prostitution held in the Paris of the Middle Ages. There were the streets Brise-Miche, Tiran, Chapon, Champfleury, du Regnard, Grande-Huleu and Petit-Huleu, des Deux-Portes, du Pélican, Beaurepaire, Percée, Bourg-l'Abbé, Tire-Boudin, Grénètà, Trasse-Putain, and Trasse-Nonain. They also inhabited the Abreuvoir de Mâcon, la Bouillèrie, the Rue Froidmantel, near the Clos Brunel, the Cour Robert, the Rue de Baillehoë, and the Rue Glatigny. The entrance to the Rue Glatigny was called the Vale of Love (Val d'Amour).

The brothels were called abbeys, and there was no little town without its "*rue chaude*." By a strange reversal of present customs, at curfew in the evening they had to leave their burrows and cease to exercise their vocation.

This corporation met with the fate of the others; royalty laid its hand upon it. When Louis IX. made the Provost of Paris an agent of Royalty, analogous to our present prefect of the Seine, and prefect of police, he imagined with the ideas of a man of order and morality, that an *ordonnance* from him would be sufficient to put a stop to prostitution. In 1254 he ordained that "courtezans should be driven from town and country alike, and despoiled of their goods, even of their clothes, as far as to the petticoat." In the name of Royal morality, the police robbed and maltreated some thousands of women. The unfortunate beings returned, or were replaced by others for a very simple reason: there were always clients, and the demand creates the supply.

The efficaciousness of Saint Louis' measures is attested by this fact: in 1270, after taking Damietta, the king's people, in the camp itself, and near the king's pavilion, established places for debauchery for their own pecuniary profit.

It was in 1258 that Étienne Boileau opened the Book of

Trades which had as its result the absorption of the Trade Corporations into the kingdom. Prostitution followed the common lot. Louis IX., perceiving that he could not suppress it, made regulations for it. From this moment, daily labour was a Royal right for which every subject must buy and pay for a permission from the king. A joiner could make doors, and a locksmith could make locks, only after having obtained privilege for the same, and paid his money. If he had allowed himself to make a door or a lock without this, he was prosecuted and severely punished, to teach him to respect the Crown prerogatives. In the same way, a woman could not make a trade of herself without a lawful patent. Prostitution became a Royal institution.

An order of the provost of Paris, dated 18th September, 1367, enjoined all women leading dissolute lives, to dwell in the brothels and public places appropriated to them.

In 1387, an *ordonnance* again suppressed (upon paper) prostitution in Paris. Two years after, in 1389, Charles VI. gave "to the courtezans of the brothel of our great city, Toulouse, called our great abbey," the permission to wear robes and trimmings of silk, which had been forbidden to them, and only imposed on them the obligation of having a garter upon the arm. In 1424, Charles VII. issued a special order for the same city at the request of the Toulousians, who received a yearly rent in return. This order goes to establish "order amongst the young debauchees who broke doors and windows without any fear of God."

Under Charles VI., the law of 1420 resulted in a general organization of prostitution, for the purpose of making it a source of revenue. The abodes of prostitutes were taxed for the benefit of the cities, which, on their side, furnished them with convenient localities. The quarters where these girls were to live, were defined and limited. This disposition of things is mentioned in the registers of the *Chambre des Comptes*.

The ideal of the police at that time, as it was in Solon's time, and is in our own, was to "concentrate debauchery in licensed houses," if I may make use of the formula consecrated by official language.

From the 12th to the 14th centuries we find analogous organizations throughout Europe.

At Geneva, at Nuremburg, and in other cities, courtezans had

their female overseers, or superioress¹ elected regularly every year, and sworn in by the magistrate. At Geneva she was named the Brothel Queen. Their exclusive rights authorized these women, at Nuremburg, to prosecute those who, without belonging to their corporation, addicted themselves to libertinage. They paid taxes everywhere.

At Rome, near the pope's palace, a public place of debauchery was established, from which the Marshal of the Court gathered tribute. In London, regulations dating from the year 1430, organized public bagnios appropriated to purposes of debauchery. They belonged to the Lord Mayor of London, who farmed them out to the Flemish.

At Venice² an edict of 1266 ordered these women to be punished by whipping, branding with a hot iron, and banishment; then, in 1314, the government penned them up in a special part of the Rialto; in 1416, they might go about the city, but with a yellow handkerchief round the neck; in 1423, they were registered officially and subject to severe regulations; in 1543, they were forbidden to go out in the night without a light. At the same time the government took them under its protection. It would not allow of any insult being offered to them, or any failure in the bargains arrived at with them; it took the greatest care that persons who frequented places of debauchery should there find safety and tranquillity.

At Strasburg, several districts were assigned to courtezans, the number of whom was considerable. A regulation of 1348 was to the effect that, whenever they walked in the streets, or stood in their doorways, they should wear upon their head and above their veil, a black and white hat in the shape of a sugar-loaf, in order that they might be recognized, and this under the penalty of 30 shillings fine, and banishment from the city for a year and a day. By ordinances of 1409 and 1430, all women living in debauchery were limited to the streets named Biecker-gass, Kloppeigass, and Greibengass, and to the parts outside the walls, where, so say the ordinances, this sort of women had dwelt from time immemorial.³

These ordinances were renewed in 1442, 1447, 1469, 1471, 1493, 1496, and 1501. Besides the quarters mentioned, there

¹ *Mémoires de l'Institut, Académie des sciences morales et politiques*, Vol. IV., p. 344.

² Dr. Carlo Calza, *Documenti inediti sur la prostitution à Venise*, 1869.

³ *Mémoires de l'Institut, Académie des sciences morales et politiques*, t. IV., p. 346-8.

were many others, and a prodigious quantity of houses which abounded with public women.

On their return from Italy, the lansquenets brought venereal disease to Strasburg ;¹ then the following prophylactic measures were adopted :—

The public women were exiled into distant streets and quarters ; they were forbidden to use certain garments and ornaments, in order to distinguish them from honest women ; and severe proceedings were instituted against the procuresses who led girls into a life of debauchery, who bought them in foreign countries and treated them as slaves. The measures were so efficacious that places of debauchery were quickly seen to be established in the tower of the Cathedral and in other churches of the city. The women who settled in the Cathedral were called *Cathedral swallows*. The magistracy enjoined them, in 1521, to leave it, as well as the other churches, in a fortnight, and to retire to the Rietberg, a quarter situated outside the city.

The author of the note quoted² was a Protestant, and does not fail to say that Protestantism purified the morals of the citizens, freed the city from a multitude of dissolute priests, and brought about the suppression of places of debauchery. In 1536 there were but two of these, and they disappeared altogether in 1540 ; but was chastity at all the gainer ? We may doubt it, for in 1550, in the *Senat des Vingt et Un*, Louis Wolff brought forward a motion to re-establish a brothel in order to prevent the seduction of the citizens' wives and daughters. This proposition was again made in 1553 and 1554.

In France, the court recognized the necessity of courtezans wherever there were soldiers. Then, as now, the two institutions were looked upon as intimately bound together. Every barracks had its brothel as an appendix. The court led in its train "royal" courtezans, bearing this title, and put under the jurisdiction of the "king of the ribalds," who was commissioned by the court police, and these women were obliged to "make his bed" during the month of May.

Women accompanied armies during a campaign ; that was allowed. The army of the Duke of Alva, destined for the conversion of Flanders, was "provided with a contingent of two

¹ See the Second Part, Chapter I. : *Venereal Diseases*.

² *Acad. des sciences moral. et pol.* Vol. IV.

thousand prostitutes, regularly enrolled, disciplined, and distributed, just like the cavalry and artillery."

Brantome described them *en connaisseur*; but the poor creatures must have led a miserable life following these men, living by pillage in lands that were laid waste; and in addition to this they were exposed to all the brutalities of soldiers in the habit of respecting nothing. In the 16th century, Strozzi drowned eight hundred of them, who were in his way, in the Loire.

Article 311 of the ordinance of Henry III., in 1579, enjoined the provost marshals, their lieutenants, and even ordinary judges, to drive the women away from the companies, and to chastise them with the whip.

Later on it was enacted by the military ordinance of the 25th June, 1750, article 602, that when a lewd girl or woman was surprised with foot-soldiers, troopers, or dragoons, in *flagrante delicto*, any officer who heard of it should cause her to be arrested, and should immediately inform the commandant of the place.

III.

The luxury of these women has always deeply offended "respectable" women, who, having the responsibilities and cares of marriage, would have its benefits. The toilettes and jewels of their competitors and rivals who took from them their husbands, or their betrothed, they have looked upon as an outrage; and it is not difficult to catch sight of the inspiration of ladies of the nobility and burghers, in the ordinances which were intended to interdict certain garments and ornaments to public women.

In 1350, by order of the Provost of Paris, they were forbidden to wear ornaments and decorations. They had notice to leave them off by the expiration of the week; this interval having elapsed, they were to be arrested in any place, excepting buildings consecrated to divine service, and taken to the Châtelet, where these ornaments were to be removed from them; and for every woman or girl found in contravention of this order, and despoiled, five *sous parisis* were to be given to the sergeants.

Three other police ordinances, of the 8th January, 1415, the 5th March, 1419, and the 26th June, 1420, contained the same

prohibitions. A decree of the Parliament of Paris, of the 17th April, 1426, repeated them, and these Acts mention in detail the dresses and ornaments which women of ill fame were forbidden to wear, and which were to be reserved as the ornaments of ladies and honest women.

IV.

In the 16th century we meet with the ordinance of Orleans of 1560, suppressing houses of public prostitution. Instead of being public, they became private. The number of prostitutes was neither diminished nor increased.

In the beginning of the 17th century, prohibitions against receiving as lodgers any girls or women of ill-fame were renewed at Paris by police ordinances.

It was enjoined upon prostitutes sometimes to clear out of the city and its suburbs in twenty-four hours, under penalty of imprisonment, their prosecution being completely followed up, sometimes to take a situation as a servant, or a calling, in the above-mentioned time, or to leave the city, at the risk, if disobedient, of being whipped, and of being shorn and banished in perpetuity, without any other form of legal process.

It was perceived that it was necessary to have prisons in which to shut them up. The establishment of a House of Correction for Women dates from 1648.

Two regulations of 1684, still quoted in the present day, ordain that at the Salpêtrière should be shut up the daughters of artisans or of poor citizens, who had been debauched, and those who were in evident peril of being so.

"They shall be clad in linsey-wolsey, with wooden shoes; they shall have bread, soup, and water for their food, and a mattress, sheets, and a coverlet for their bed.

"They shall be made to work for as long and at as difficult work as their strength will allow of, in the way which the directors who have especially the care of them shall find suitable."

At Strasburg, in the same year, an ordinance prescribed for the girls who came there in spite of prohibition, either whipping or cutting off their noses, at their own choice.

It appears that things were pushed to an extremity in the application of these rules, for they were a subject of agitation in Parliament, which body was not very susceptible in the

matter of liberty for poor people. Ferrière reports a decree of the 12th September, 1708, ordering that the commissaries of the Châtelet should be bound to obtain the signatures to their declarations of neighbours, in order that it should not appear that they had acted from passion, or upon false reports. The ordinance of Louis XIV. of the 26th July, 1713, added other forms. It prescribed the oath to neighbours before their declaration, under penalty of the nullification of the written evidence. After this form had been gone through, the furniture of the said girls or women might be thrown upon the pavement, and confiscated for the good of the poor in the general hospital.

A decree for regulation, of the 9th December, 1713, enjoined that in case of appeal, the girl or woman found guilty should not be taken to the general hospital and kept there, and nevertheless that they must not be set free, until the sentences had been reversed by the court.

The Parliament of Paris, in conformity with these principles, ordered, by a decree of the 27th December, 1713, that a girl who had been imprisoned for an act of debauchery, without being previously tried and sentenced, should immediately be set at liberty.

This did not stand in the way (when it was wanted to back up the credit of the Mississippi shares) of raids being made on men and women who were sent out to colonize. Almost all perished. The death of Manon Lescaut is well known.

Under Louis XV. these customs continued, and determined efforts were made to strike at the instruments of debauchery. In 1734, an ordinance renewed the ancient rigour against procuresses. She who did duty as expiatory victim was to be promenaded upon an ass, with her face turned to its tail, and her head surmounted by a mitre, or a straw hat, and a label hung round her neck. She was whipped on the bare back, and marked with the letter M. (*maquerelle*); and then sentenced to the pillory, banishment, or the galleys. As to her clients, they could assist at this enjoyable spectacle, and amuse themselves with it at their ease. They had nothing to fear for their own person.

Debauchery, in all times and countries, has been willingly looked on as one of the privileges of the aristocracy. The king, the grandees, the nobles, and their wives, might steep themselves in vice: the greater reason that they should require virtue in the populace. The morals police, besides, became a

means of recreation and amusement. It protected girls who undertook to denounce the priests and monks who came to see them. It was a pleasure to the police to surprise such clients as these, and to send the written evidence of their expeditions to the archbishop of Paris, and to La Dubarry. This *Encyclopédie Methodique* cites many such cases.¹

In the reign of the virtuous Louis XVI., and the chaste Marie-Antoinette, regulations were increased two-fold.

A decree of the Parliament of Toulouse, on the 6th March, 1776, ordered that in every town there should be an inquiry as to all girls and women living by debauchery, and that those who were natives of the country should be immured in houses of correction, and those who were foreigners should be sent out of the country.

Then in 1778 appeared the great ordinance of M. Lenoir, from which the present morals police still derives its authority. Its principal dispositions are as follows:—

“1st, We very expressly prohibit and forbid all profligate women and girls to loiter or solicit in the streets, on the quays, squares and public promenades, and on the boulevards of this city of Paris, or even to look out of their windows, under pain of being shaved and sent to hospital; on pain also, in case of repetition of the offence, of corporal punishment conformably with the said ordinances, decrees, and regulations.

“2nd, We forbid the landlords and principal tenants of the houses of this city to let or sub-let the houses of which they are landlords or tenants to any but persons of good life and morals, and of good report, or to allow in these houses any place of debauchery on pain of a fine of 500 livres (about £20). We order all persons keeping hotels or furnished apartments to inscribe daily in registers, countersigned by the commissaries of the quartier, the names of the persons lodging there; to put men and women in separate chambers, and not to allow private apartments to be occupied by men and women supposed to be married until they show their marriage lines, or certificates given by well-known and trustworthy people, the whole on penalty of a fine of 200 livres (about £8).”

This ordinance, however rigorously it might have been applied, had not, it appears, “extirpated the plague of prostitution,” to make use of official metaphors; for two years afterwards, an ordinance dated the 8th November, 1780, promulgated new regulations, with new penalties.

¹ *Dict. police et munic.*, Art. PROST.

"We make most express interdiction and prohibition to all merchants and others from hiring for money and for the day, or otherwise, also from procuring by other and dishonest means, for the use of profligate girls and women, the apparel and garments with which they adorn themselves, and by the help of which they scandalously show themselves at their windows in order to attract passers-by, on penalty for the offenders of a fine of 300 livres (about £12), and of confiscation for the good of the general hospital of the robes, pelisses, mantlets, and other articles of attire of which the prostitute girls and women shall be found possessed; and, in case of repetition of the offence, of corporal punishment."

Another ordinance in 1784, was to the effect that girls who should prostitute themselves to clear off debts for drink, should be arrested, taken before the commissary, and sentenced to three months' imprisonment for the first offence.

Mercier, in his *Tableau de Paris*, shows us extremely well what are the results of these measures.

"The police inspectors institute for their own sake many minor abductions, because they are generally taken at their word, and because, as they attack none but the lowest class of the people, the details of this authority are easily conceded to them. Some act in obedience to their ill-humour, or their caprice.

"Why does such or such an unfortunate openly boast of having the inspector's protection? Why does she walk with her head higher than her companions, whilst she threatens them with her credit with the authorities? Is this not a new disorder in disorder?"

It was a common thing to see a *petit bourgeois* through the protection of a police scout, put his wife into the hospital under the pretence that she was mad.¹

Sabatier, in his *Histoire de la législation sur les femmes publiques*,² completes the picture.

"When quarrels arose in a house of ill-fame, the first commissary who heard of it went there with his guard, arrested and imprisoned the women, whether guilty or not. They were responsible for the racket being made at their house, whether it was with or against their will. When neighbours complained of the girls living in their quartier, they were arrested just the same.

¹ *Encyc. Méth., police et m.*, Art. ABUS.

² P. 172 and following.

"A police inspector was intrusted with their surveillance, and had over them a discretionary power which was worth 30,000 livres a year (about £1,200).

"All places of prostitution were inscribed in this officer's register.

"All that could please the tastes of the police inspector was lavished upon him by the proprietors of the brothels. He disposed of the freedom of the person, enjoyed rights which were liable to abuse, and levied toll from the unfortunates.

"When he wanted money, he gave notice to the procuresses and the girls in rooms that he was coming, and that he should carry off those against whom complaints had been made. These were those who had sent him nothing for a month or six weeks.

"Then gifts and presents for him came in from all directions, and the inspector had the first favours of a girl newly seduced.

"Every month three or four hundred women were carried off without ceremony. Those who had money got out of the affair. The sick were put into the hospital, and the others taken to prison.

"In a few days' time, these latter appeared at the audience of the lieutenant of police, who sentenced them, on an information, *faite à la diable*, to hospital, some for a month, others for three or six, more or less. Some of them were sent back again. They were brought to the hearing in a covered vehicle to the bottom of the staircase of the Châtelet, and thence conducted into the hall. Some cried and tore their clothes; others uncovered themselves in the most indecent manner.

"Innocent girls, whose timidity prevented them answering, found themselves confounded with these unfortunates.

"The accused were undefended before the tribunal, and received their sentence on their knees.

"Besides the girls that were carried away by the police in the night, there were those that could only be arrested in their homes by order of the king; those, namely, who had their own furniture, and those who were kept women. The custom was to leave them in prison for a year. They did not appear at the hearing of their case, and were taken to the place designated by those who had got them arrested—their relations, deceived lovers, or duped *protectors*; then they were carried off and put into jail for want of a few louis, or the *protection* of the inspector."

Such was the morals police in Paris about 1780 ; such very nearly is it still in 1882 : an evident proof that if in physical and natural science our progress has been immense, it has scarcely been apparent in social science !

One of the authors of the great *Dictionnaire de Police et Municipalité*, in the *Encyclopédie Méthodique*, passing judgment upon the system, said :

“Fools have extolled this kind of establishment, adopted by the police, as an excellent invention for arresting and punishing vice. Experience must have shown us to what extent it has succeeded.”

He states that all the regulations, persecutions, “severities, chastisements, and imprisonments have only increased the turpitude and degradation of prostitutes, without diminishing their number. We must therefore conclude that it is by other means that we must seek to deal with prostitution ; that is all that we can do ; for to attempt to destroy it entirely is alike useless, misplaced, impolitic, and dangerous.”¹

These lines were published in 1791, *à propos* of the two ordinances of 1778 and 1780.. The following considerations were added :

“It was the custom of the lieutenants of police at the commencement of their administration to issue ordinances very similar to those we have just read against prostitutes. That gave them the air of having the repression of licence and corruption of morals at heart. The people have always liked this aping of morality. It is thus that in almost all the papers of the old States General, the king is requested to have the houses of ill-fame in his kingdom destroyed, in order to prevent prostitution. It is thus also that at the commencement of the Revolution we saw stupid literary men propose for the extinction of prostitution, not only impracticable severities, but also the closure of *bals champêtres*, and the most rigorous inspection of furnished apartments, eating-houses, &c., as belonging to people interested in favouring debauchery.”

All these passages agree in showing the same empirical morality on the part of the police, the same shopkeeper modesty on the part of the public, the same prejudices terminating in the same follies.

When the National Assembly adopted the Declaration of the Rights of Man, the tribunal of the Arrondissement of the

¹ T. III., p. 693.

departement of Paris, on the 4th August, 1791, gave the following sentence :

“The said Marie-Louise Bertaut, *veuve* Desbleds, condemned to be conducted by the executioner into all the squares and crossways of the city of Paris, and especially to the Place du Palais-Royal, as being in proximity to the Rue Fromenteau, upon an ass, her face towards the tail, and on her head a straw hat, with a label before and behind, having this inscription, ‘Corruptress of youth ;’ to be beaten and scourged with rods on her bare back by the said executioner, and in the said Place du Palais-Royal, to be branded with a hot iron in shape of a *fleur-de-lys* on the right shoulder ; this done, to be taken to the House of Correction of the general hospital of La Salpêtrière, and there detained and immured for the time and space of three years.’”

At the moment of reproducing this terrible sentence, a scruple came into my head. I said to myself : “One of these creatures, who in their need of possessing a gospel, after having rejected the old one, have built a new one for their own use out of the scraps of the history of the French Revolution, is quite capable of invoking it (the sentence) as a precedent that must be followed !” And my experience of this race of pernicious idiots is such that I asked myself, with uneasiness, if I ought to furnish them with this document. It is true that to balance it we can quote the following passage, so full of justice, from the authors of this *Traité de police*,¹ the most complete that has been written after that of Delamare, and the only liberal one which has ever been published.

“It is not competent to political power to take cognizance of the individual actions and faults of private life. And it is an error from excess of zeal and from moral infatuation to pretend to exercise despotic authority over this species of women. If the old police, which respected nothing, thought it could vex and oppress them, that is no reason why we should do the same and give up to rapacity, and to hordes of the subaltern agents of authority, women whose bad morals do not deprive them of their title of citizen and their right to public protection.”

¹ *Encyclopédie Méthodique., Police et Municipalité.* 3 vol. in 4to.

V.

In these different provisions, we do not see any desire to protect public health from the contagion of venereal diseases spread by means of women.

Nevertheless, these diseases existed in great intensity, and occupied public opinion.

At Strasburg, after returning from Italy, the lansquenets, troops of Charles VIII., spread the syphilis from which they were suffering. It was then forbidden to innkeepers, publicans, surgeons, and bath-keepers, to treat or receive venereal cases; the hospitals, even those for lepers, were closed to them, and all communication with them was interdicted to the citizens; so that those who were without resources perished in the streets and open country in great numbers.¹

An ordinance of James IV. of Scotland, dated the 22nd September, 1497, compelled persons infected with "big pox" to leave Edinburgh on pain of being branded with a red-hot iron on the cheek so as to be recognized for the future.²

At the end of the 15th century, an ordinance of the Provost of Paris inflicted the punishment of death and casting into the Seine on any person of either sex suffering from venereal disease who did not return to his or her own country, if a foreigner; or did not remain shut up at home, or enter at once into the hospital Saint-Germain-des-Prés, if belonging to the city.³

In the 16th century, venereal cases, rejected by the ordinary hospitals, received some attention in those of La Trinité, Saint-Eustache, Saint-Nicholas, Lourcine, and Bicêtre.⁴

The idea of periodical inspection dates from the 18th century. It was a crotchety-learned man of this time who started this idea in the pretended ordinance of Joan of Naples, inserted in the end of a manuscript of the 14th century.⁵

In 1761 a physician, in some letters on "The Venereal Disease," asked for a law requiring every individual, even if one of

¹ *Ann. hyg.*, 2e série, 1855, t. IV.

² Lagneau, *Mesures propres à prévenir les maladies vénériennes*.

³ Quoted by Lagneau, *Ann d'hyg. et méd légale*. 2e série, t. V., p. 25.

⁴ Bourru, *Moyen le plus propre à éteindre le mal vénérien*, 1771. Lagneau, *Loc. cit.*, t. IV., p. 304.

⁵ Lettre de M. Deloye, conservateur du muséum Calvet, at Avignon.

the clergy, found after a certain interval affected with syphilis, to be declared guilty of a felony.

The same measures were applied to venereal cases as were applied to their near relations, the lepers. Well-thinking souls looked upon venereal disease as a punishment from heaven; to-day even they have no other way of looking at it. Those who were affected with it were not visited; they were expelled or punished. We shall see further on that this barbarity has not ceased to exist.

This historical sketch shows that, from Solon to the regulations of 1780, all the attempts of authority to regulate prostitution have sprung from this principle: that prostitution—or, to speak more exactly, the polyandry of a certain number of women—is necessary.

In consequence of this, almost all the authors of regulations have, with powerful logic of their own, proposed to protect men who made use of prostitutes by punishing those women who were prostitutes.

In the various societies where caste distinctions prevail, provisions relative to prostitutes purposed to confine them to a special caste, with special houses, special quarters, and special costumes.

The measures taken in their respect, sometimes evoked by that conception of social economy according to which woman is always put in a condition of inferiority to man, and sometimes by religious belief, hypocritical modesty, or jealous hatred, have had these consequences: despotism, abuse of power of all kinds, and corruption of the agents charged with carrying them out.

In the severe measures dealt out to prostitutes before the 19th century, the question of public health is not made use of as a pretext.

CHAPTER THIRD.

OLD ABUSES—NEW PRETEXTS.

Gentleness of Administration—Message of the Directory—Decree of Messidor—Protection of the Strong against the Weak—Public Moralities and Public Health—The Founders of the Dispensary System—Its Profits—Health—Results—No Law—Ordinances—Prostitution and the Factious—Doctors subordinated to Police—M. Delavau's Formula—Decrees of Debelleyne, and Mangin ; powerlessness.

THE present administration is perhaps a more terrible one than that of the old régime. It desires to avoid noise and scandal, and instead of that to crush you by gentleness and in a polite way, being thereby so much the more irresistible. You have seen one of those frightful steam hammers, many tons in weight, crush a nut quickly and exactly. The nut is none the less crushed. In the same way, the master stroke of administration is to crush individuals, poor wretches as they are, in a decent fashion, without their being able to cry out, or at least without their being heard by the public. It crushes them in the prison van, with their handcuffs, which are delicate, but which penetrate the flesh all the better, behind closed doors and in silent cells, very costly, and admirably constructed by philanthropists whose idea is to build tombs for the living ; and all these horrors are not only enclosed by thick walls, solid and padded doors, and ceilings which look like the top of a safe, but they are concealed under a heap of whining, humanitarian pretexts and self-interested hypocrisies. The inquisitor's spirit has changed its outward form, but always exists.

Formerly, the faithful put you to the torture and roasted you alive for the good of your soul ; now-a-days it is arrest, imprisonment, forcible use of the speculum, perpetual detention, even inoculation with syphilis for the good of your body, for your own health or for that of others. Policemen and doctors have materialized the inquisition. It is not for that reason any less atrocious for those to whom it is applied.

The 17th Nivôse of the year IV., the Executive Directory sent a message to the Council of Five Hundred, demanding that they should "arrest the progress of libertinage by firm

and severe measures." The Council of Five Hundred nominated a commission "to examine this message and make a prompt report to the Council." This report was never made.¹

At the commencement of the Revolution, two employés were charged with the duty of numbering and registering the women; in 1796, a new register was begun; in 1797, an attempt was made at a new census: all this was insignificant enough.

We know that the decree of the 12th Messidor, year VIII., instituted the present prefecture of police. The prefect of police was the direct heir of the old lieutenants of police; he recalls it even to-day with pleasure and a certain pride. MM. Dubois and Pasquier completely entered into the views of Buonaparte when they undertook the mission of protecting the strong against the weak. That is special to all autocratic organizations. They re-instituted the workmen's guilds and put them entirely under the police;² they could not fail to re-organize the guild of prostitutes. Such an undertaking must bring both honour and profit to the prefecture of police; honour, by augmenting its prerogatives, by furnishing it with information of all sorts, and by strengthening its arbitrary power: profit, for services of this kind are always doubly paid for.

Only the prefecture of police showed all the superiority of the new régime over the old one. It would not have been at all a clever thing to resuscitate the Capitularies of Charlemagne, the Statutes of Saint Louis, the Ordinances of Louis XIV., or those of M. Lenoir. In the year 1802 it was not possible to invoke either morality or religion to justify the *police des mœurs*. France was then de-Christianized, and the morals of the First Consul, of his family and court, were so well known, that any official affectation of austerity would only have provoked laughter.

Another reason must be found; and in a very ingenious way the new *police des mœurs* presented themselves as the guardians at once of morality and of public health. It discovered the way to reap a marvellous advantage from this double mission, a mission to play at see-saw with. You talk of morality, it answers you with health; you talk of health, it answers you with morality. So that it is never without its answer: and for many people, the question is not to argue, but to talk. To transpose questions is all the art of advocates of the wrong side.

¹ See further on, 1st Part, chapter 8th.

² See Yves Guyot, *Rapport sur les services de sûreté*, p. 10. (Conseil Municipal, 1880.)

Who found out the hygienic pretext? I do not know. In any case, M. Dubois and M. de C—— understood each other perfectly well. We shall see upon what ground they took their stand, after the information given by Parent-Duchâtelet,¹ a thoroughly convinced partizan of the morals police, and well informed about them, one of those philanthropists who pass life in studying how men may torture their fellows decently by dealing out to them prisons, prison vans, handcuffs, and dispensaries, the latter doubtless so named by a contradiction of terms. Dr. Guillotin was the best of them: he sought how to shorten pain, whilst in general they applied themselves to finding methods of gently prolonging it.

This M. de C—— was an old surgeon-major of musqueteers, a man imbued with all the tradition of the old régime, habituated to the morals of the old court, without scruples, and finding that all means are good for making money: a rogue in fact. He was seeking social position when he found out how to make an official living out of prostitutes. There are, in this world, Alphonsos of many kinds and categories. M. de C—— and his worthy colleague, a Dr. Teytaud, were the official Alphonsos of the prefecture of police. They had had numerous predecessors; they have had numerous successors.

For the compulsory attentions which these two honourable doctors authorized themselves to pay these women, the isolated ones had to pay 3 francs (2s. 6d.) a month, and those in licensed houses, 12 francs (10s.). The doctors had only one thought in this: to get paid. From the standpoint of public health, which was the pretext for their duties, the result as stated by Parent-Duchâtelet was as follows:—²

“When the two surgeons whom I have just named were intrusted with the inspection of prostitutes, the exact list was not given to them; they were told in a manner, Look these women out and make them pay for the inspections which you make of them. Faithful to this command, they only sought for those who, being in easy circumstances, were likely to pay regularly; they entirely neglected the very lowest houses of debauchery in order to busy themselves only about the richer ones; in a word, they left to itself the most numerous, most dangerous and most unhealthy class, that one in fact with which they ought to have begun.

¹ *De la Prostitution*, t. I., p. 621, 654.

² P.-Duchâtelet, t. I., p. 621.

"The negligence of these two men did not stop here; they soon tired of the disgusting duties which were confided to them, and relieved themselves of them by means of two pupils in surgery, to whom they gave 1,000 to 1,200 francs a year (about £40 to £48).

"What did the two officials do whilst the two pupils were fulfilling, some how or other, well or badly, their duties? Will it be believed? They went from house to house, levying themselves the sums of money due to them, and that with a severity and urgency which had no limits: they denounced the girls or the women who would not pay them to the police, for the administration only interfered in the matter of the receipts when there were any arrears."

These gentlemen understood their trade very well. They "required payment on account of girls who were not merely absent from personal causes, but also when they were shut up in prison for infraction of regulations, or in some hospital for illness; they alleged as a reason that they (*i.e.*, the gentlemen) had proceeded to the girls' homes, and that, that proceeding having been taken, they ought to be paid for it."

Protests were made almost immediately; but naturally they had no effect. Nevertheless the surgeons were looked upon with disfavour enough by the administration. They gained too much; that produced envy on the part of others, and exposed themselves.

They felt the necessity of having a good friend at court. They sought the protection of J. J. Leroux, professor in the Faculty of Medicine, substitute and right-hand man of Corvisart, the physician of Buonaparte. He accepted the title of overseer (*surveillant*) which they proposed to him, and a share of the incomings. We shall in the course of the present research frequently find that it is possible to be a renowned, and even a great physician, and yet a small creature.

Parent-Duchâtelet adds: "In order to give an air of utility to the tax, and show the necessity of inspections, these honourable inspectors proposed the creation of a *Salle de Santé*, where any girl who was ill, and was not suitable for admission into an hospital, should have advice and medicines gratuitously out of the proceeds of the tax, a proceeding which would allow her to be cured at home. This proposition was approved of; a locality for this purpose was chosen in the Rue Croix-des-Petits-Champs, a central point, and grouped around which were to be found the greater part of the prostitutes who, at this

epoch, attracted the attention of the police. This establishment, which was called a Health Dispensary (*dispensaire de salubrité*) was opened on the 13th Frimaire, year IX. (December, 1802). The special direction of it was given to Sieur Teytaud, who, dying some time after, was replaced by M. Causereau, Mme. Dubois' accoucheur."

From Parent-Duchâtelet's own confession, we see that this dispensary was only a pretext for sinecures. So much was it so considered that a member of the Council of Health refused to have anything to do with it when asked to join the combination.

The system did not operate for long; and after the arrival of M. Pasquier, M. Dubois' successor, and the second prefect of police in point of time, "complaints reached him from all parts. Mistresses of houses, girls in private rooms, men in official positions who were simply friends of order and good life, denounced facts of the gravest kind to him, and they all backed their observations by irrefutable proofs." This attained such a point, that the minister-general of police nominated a commission of inquiry. Although it was purely administrative, it was fairly forced to recognize the fact that all was not for the best in the organization of the dispensary. Doubtless, "the intentions of the administration were laudable."¹ "It had never, when it founded this institution, had any idea of making of it a source of fortune and speculation for the doctors." Was this quite true? In any case, these latter had only looked at the question under this aspect, "more anxious to receive the amounts due to them for their inspections than to bestow the attention which patients require, they neglect this part of their duties to a degree of which it is difficult to form an idea. . . . It is only at intervals, frequently widely separated, that they send the lists of the sick to the prefecture of police. Every day girls who have been infected *for a long time, come to the hospital of their own accord in a frightful state.* The greater part of those who are sent to prison are suffering from disease. . . . " The report ought logically to have terminated with this conclusion: This dispensary having never served any other purpose than that of filling the purses of the surgeons who organized it, there is nothing for it but to suppress it. But the logic of administration consists in always preserving and enforcing the institutions the harmfulness of which it is itself obliged to recognize. Their suppression was

¹ Parent-Duchâtelet, *loc. cit.*

not its aim ; only it desired to take the profits from the doctors to give them to the police properly so called—a question of competition. The surgeons made out no cash account. “Neither the number of girls who presented themselves at the dispensary, nor the number of those who were visited at home,” was known. The dispensary cashier was called ; but the surgeon, M. Teytaud, most frequently received ready money. The cashier’s books showed the annual income to be not less than 30,000 francs (about £1,200) in November, 1810. When it was fully shown that the sanitary results of the dispensary “amounted to nothing,” and that the surgeons were only playing a farce, and receiving “exorbitant incomes,” they were put on the retired list with 3,000 francs (about £120) pension for life to recompense them, and the dispensary was reconstituted by a decree of 20th December, 1810. The girls were to be inspected twice a month ; the tax was to be levied by an employé ; and the doctors were to receive a fixed salary.

Parent-Duchâtelet, with his habitual simplicity, stops to make this reflection :

“Before going on with this history of the dispensary, it is as well to say that the enormous gains made by the doctors, who cultivated this necessary institution for their own profit, and in a highly unworthy manner, excited the action of a host of people, who, in the hope of taking part in this distribution of money, addressed the administration, with memoranda, projects, and observations for the most part impracticable, not to say ridiculous.”¹

I do not very well see how these projects could be more ridiculous than the existing dispensary. It continued its office, for good or for evil. M. Anglès, Prefect of Police under the Restoration, fell in love with it with a real affection : there is affection of all kinds. In his zeal and ardour, which had nothing egotistical about it, he wished to extend its benefits to all the cities of France. More than this, he wished to get the sanction thereto of a royal ordinance ; and on the 12th May, 1819, he addressed a memorandum on this subject to the Lord Privy Seal : the latter took no notice of it. The religious and the political question naturally got mixed up with the sanitary question : in 1822, M. Franchet demanded anew a royal ordinance extending over the whole of France. Its purpose was “to repress the spirit of irreligion, which used its licence to

¹ T. I., p. 630.

corrupt the young and the working classes ;" it was indispensable, "because it was by libertinage that the factious endeavoured to corrupt the soldiers."¹

The police laid its hand completely upon the dispensary, and reduced its doctors to the simple rôle of agents. Parent-Duchâtelet mentions this disastrous event with despair.

In 1822, the surgeon-in-chief became an ordinary surgeon, and was replaced by an employé, named J——, an old office-clerk at the Hôtel des Monnaies.²

"J——, a man without education, went in for virtue, and to hide his own vices exaggerated them. He was never able to make a methodical report, or one without errors in calculation ; but he possesses to a high degree the art of denunciation. I have had in my hands information furnished by him upon the political opinions of each surgeon, upon their conduct, and the society which they frequented ; in a word, he was nothing but a spy at the dispensary—a spy, however, who was unskilful, and incapable of concealing his play for long ; his manœuvres were discovered at last, and he became an object of hatred and execration. At different times he saw himself threatened with dismissal, but he knew how to ward off the blow ; until the doctors, tired of his presence, so conducted themselves with respect to him, that the administration found itself under the necessity either of dismissing them, or sending away its agent ; it chose the latter alternative, but this agent remained at his post during nearly four years."

Registration of girls under fifteen years of age was then a current affair. A woman was never asked for proof of her identity ; she put down 3 francs (2s. 6d.) as the price of her ticket, and 3 francs for every monthly inspection. If she failed to do this, she had to pay 8 francs (6s. 8d.) on the following month, or she was even arrested and detained for as long a time as the police directed, and was only set free after paying 12 or 15 francs (10s. or 12s. 6d.). There were constantly 600 women at *la petite Force*.³

In his circular of the 14th June, 1823, M. Delavau issued the definitive formula of the *police des mœurs*. "It desired to concentrate the evil in houses which were known, and directed by women who should answer for the conduct of the girls whom they received into their houses.

¹ Parent-Duchâtelet, t. I., p. 636.

² Ibid., t. I., p. 637.

³ *La police sous les comtes Decazes, comte Anglès et baron Mourier*, 1829.

"The police would think that it had done much for morality and public order if it had succeeded in confining prostitution to licensed houses, upon which its action could be constant and uniform, and which could not escape from its surveillance."

This formula has received the approbation of all the chiefs of the *police des mœurs* in Paris, and of all the authors of projects for regulation, police officials, and doctors. M. Lecour says, "One cannot define the action of the police with regard to prostitution better than M. Delavau has done in this circular, in which we perceive the desire, incapable of realization, but perpetually caressed by administrators of all periods, that, namely, of concentrating debauchery in tolerated houses *ad hoc*."¹

The result was null besides. It was in vain that M. Delavau strove to shut up debauchery in tolerated houses, and to multiply these and surround them with his protection. M. Debelleye, prefect of police in 1828, drew the following picture of the condition of prostitution in Paris:—

"The scandal which it was wished to repress occurs everywhere in the most open manner, and the public streets are continually obstructed by a host of prostitutes who gather together there, not only at the decline of day, but at all hours of the day, and who, encouraged by impunity, do not even take care to veil, by tranquil and decent behaviour, the calling which they follow.

"They are seen habitually to go about the most frequented places of the capital, in public ways, of which they make a promenade, in the neighbourhood of shops, and in the environs of the theatres, accosting the passers-by, insulting them by the grossest proposals, following them with obscene provocatives, drawing together tumultuous crowds by their cries and outrages, incessantly causing strife between the peaceable inhabitants and the individuals who carry on the business of *bullies*, mingling in all the disorders which spring up in the neighbourhood, and never intervening in all these quarrels except for the purpose of provoking public resistance against the persons charged with the duty of maintaining order and tranquillity."

As a remedy for this, the prefecture of police asked itself whether it ought not to impose upon them a special costume. Give insignia to a calling that it is wished to embarrass: such is the sum of police logic.

¹ *La Prostitution à Paris*, p. 107.

On the 11th March, 1829, a decree prohibited "any common woman from appearing at any time upon certain parts of the Boulevard." On the 15th April, 1830, M. Mangin completed the measure: not only did he prohibit the public street to prostitutes, but he even ordered them "not to give themselves up to prostitution except in tolerated houses."

A decree of the 7th September, 1830, confines itself to prohibiting prostitutes from appearing in the public streets and attracting notice there, before the lighting of the street-lamps.

The regulation of M. Delessert dates from 1823, and remained in force until 1878, the time when M. Gigot modified it, at the end of my campaign against the prefecture of police. The instructions which accompanied this regulation began by the following statement:—

"The passing to and fro of prostitutes in the public streets has of necessity been tolerated anew because of grave considerations which have yet lost nothing of their force. It was necessary to be contented with imposing upon these women obligations which were capable of preventing direct attacks upon morality and public tranquillity."

In another passage, M. Delessert indicates the embarrassment of the police:—

"The arbitrary power which the administration possesses over these women ought not to be used save with a just reserve; consequently, it must not be employed except in case of positive attacks against public order, such as the legislature has not been able to foresee or to define.

"I reserve to myself the determination of the duration of punishments which will have to be awarded to mistresses of houses, and to common women who may be the object of your especial report."

Facts, then, authorize us in saying that:—

The *police des mœurs*, such as has been organized under the Consulate, the Empire, and the Restoration, follows the same traditions and practices as the preceding organizations of the *police des mœurs*. Just as in preceding organizations, it strives to make of prostitutes a distinct caste, confined to distinct houses and quarters, and submitted to the arbitrary power of the police.

It has only added to the moral and religious pretext a new one: protection of public health.

CHAPTER FOURTH.

ACTUAL ORGANIZATION OF OFFICIAL PROSTITUTION.

- I.—Regulation of 1843, and modifications of the 15th October, 1878.
- II.—Marseilles—Bordeaux—The tariff—Brest—Algiers—Baptism.
- III.—Brussels—Tariffs—Tolerated houses—M. Buls' modifications—Liége.
- IV.—Rotterdam—Amsterdam.
- V.—Italy—Legality.
- VI.—Germany—The Prussian Penal Code—Berlin—The tolerated houses.
- VII.—Austria.
- VIII.—Denmark—Sweden—Spain.
- IX.—England—The Contagious Diseases Acts.
- X.—English Colonies—Hong-Kong.
- XI.—The United States.
- XII.—Egypt—Japan.
- XIII.—Official definition of prostitution.
- XIV.—Estimate of the number of prostitutes.
- XV.—Conclusion.

I.

I THINK I ought in the first place to give the text of the regulation made by M. Delessert in 1843. It is this that for thirty-seven years has served as a model for the different attempts at regulation of prostitution which has been tried in Europe. I have added to it the modification introduced into it by M. Albert Gigot by his decree of the 15th October, 1878.¹

¹ After the *Revelations de l'ex-agent des mœurs*, I published, also in the *Lanterne*, the *Lettres d'un médecin*, which preceded the *Lettres du vieux petit employé*. M. Albert Gigot, the then prefect of police, and not a bad man, shared the general emotion. He discovered that there was something to be done, but not knowing what to do, he tried to improve the regulation of 1843. He was acting in such good faith that he communicated to me the modified text of the regulation before he had done so to M. Lecour. The latter has not yet pardoned him for this want of deference! (Lecour, *Campagne contre la prefecture de police*.)

REGULATION OF THE 16TH NOVEMBER, 1843.

INSTRUCTIONS UPON THE DIFFERENT DUTIES OF THE ACTIVE
SERVICE OF THE HEALTH DISPENSARY.

CLANDESTINE PROSTITUTION.

1.—*Perquisition and visits to particular houses, into furnished rooms, and to public-houses and liquor-shops.*

The inspectors of the active service of the dispensary, to whom a particular house or furnished rooms shall have been pointed out as a place of clandestine prostitution, shall immediately report thereon to the chief of the municipal police, who shall charge the inspector in direction of the active service to obtain exact and scrupulous information, account of which shall be given to us by the chief of the 3rd division, who shall, if there are grounds for it, issue the necessary orders for making a perquisition.

These orders shall then be sent to the chief of the municipal police, with a note containing such indications as will facilitate execution of the orders.

The inspectors charged with that duty shall go to the commissary of police of the *quartier* to acquaint him with their mission, so that he may be ready at the moment when his intervention shall be required.

When it is not mentioned in the order that, according to the 10th Article of the Law of the 22nd July, 1791, it can be carried out at any hour of day or night, to avoid notoriety, it shall not be carried out except during the hours from 6 in the morning to 6 in the evening, from 1st October to 31st March, and from 4 in the morning to 9 in the evening, from 1st April to 30th September.¹

The authorization to lodge in furnished rooms, granted to prostitutes who, by reason of their age or infirmities, cannot be placed in tolerated houses, has no other purpose than that of securing them an asylum, and cannot free them from the consequences of such an infraction of the laws as they would be guilty of in giving themselves up to prostitution in the furnished rooms which they inhabit.

There would consequently be grounds for arresting women of this category, although they possessed an authorization, if, when visits were made in pursuance of orders, they were found with men whom they had solicited, a fact which would, besides, constitute for the lodging-house keepers, an infraction of Article 5 of the *ordonnance de police* of the 6th November, 1778; but it would not be the same with respect to women found with men whose lodgings they shared as their concubines, a circumstance which it would be easy to establish by means of the police register.

As to public-houses and other liquor-shops, where clandestine prostitution is notoriously encouraged, the commissaries of police may enter there without orders until closing time, eleven o'clock in the evening, and even later, if, in contravention of the law, still open; and inspect the localities reserved for the public, so that if necessary they may prove the infraction of Article 14 of the *ordonnance de police* of the 8th November, 1780.

The inspectors who, in the course of their inspection, shall observe facts

¹ Article 1037 of the *Code de procédure civile*.

constituting this infraction, must give notice thereof without delay to the nearest commissary.¹

2.—*Of the unsubjected (insoumises).*

The inspectors charged with the surveillance of the unsubjected must act with the greatest circumspection with regard to those whom they meet in the public streets, and should follow them to tolerated houses, or to a domicile of registered women, so as not to proceed to arrest them until there is no longer any doubt as to their way of life.²

There will be grounds for proceeding to arrest an unsubjected woman in a public place which is notoriously used for purposes of prostitution, if there are signs of the very fact, or if there is confession on the part of the woman, or of the man found with her, that there has been on the woman's part solicitation to an act of debauchery.

The inspectors shall proceed to the arrest in the public streets of an unsubjected woman whom they have been unable to overtake in one of the above named cases, only after a prolonged surveillance shall have allowed them to observe facts susceptible of precise proof, whether it be that she is seized at the moment she comes out of a place for prostitution or going about with prostitutes, or that she gives rise to public scandal by her solicitations.³

From whatever causes they may have been arrested, the unsubjected shall immediately be taken before the commissary of police for the *quartier* where the arrest took place, so that their examination may take place without delay, conformably to instructions.⁴

The inspectors shall always observe, in presence of these women, the proprieties required by the dignity of the administration, which seeks for a judicial statement of the outrage or violence of which they may, for their part, have been the object, and they shall abstain in the most absolute way from any method of surprise or subornation.

The inspectors who shall put an unsubjected woman in the hands of a commissary of police, shall lay before this functionary, unless he receives their circumstantial declaration, a report detailing the acts imputed to this woman.

The inspector who shall have put in the hands of the commissary of police, or who shall have assisted a commissary of police in arresting an unsubjected woman, in obedience to orders, in a public place, shall imme-

¹ N.B.—The Cour de Cassation (Court of Appeal) decided, more than once (30th June and 14th July, 1838, and 30th March, 1839), that the written evidence or report of the inspectors of police cannot alone, in the absence of all other proof, be held to prove the infraction of the law which they aver, and that it is the same with respect to written evidence drawn up by a commissary of police from the report of inspectors, when he has not himself verified the statement.

It does not result from this doctrine that the agents have no power to prove infractions, but that their reports must be confirmed, either by confession of the law-breakers, allowing the facts imputed to them to be correct, or by the means which the tribunal thinks fit to produce.

² The regulation of 1878, paragraph I., adds: "Not to arrest them until after surveillance and after proof of clear and multiple acts of solicitation."

³ Paragraph III. is suppressed.

⁴ Regulation of 1878: "Conformably to the prescriptions of the Circular of the 24th March, 1837."

diately ascertain whether this woman is known at the domicile which she has indicated, and by the persons at whose houses she has declared that she has been in service or at work, and shall carefully obtain information concerning her conduct and means of existence, of which they shall give an account by a special report which shall be transmitted without delay to the chief of the 1st division by the chief of the municipal police.

The unsubjected women of adult age who are disposed to submit themselves to sanitary obligations may be taken directly to the administrative bureau when the time of day allows of it.

The inspectors shall supply a report concerning these women, pointing out the circumstances in which they were found, and making known their place of abode.

All other unsubjected women shall, without distinction, be put into the hands of the commissaries of police and taken directly to their bureau.

The inspectors shall never lose sight of the fact that the object of the perquisitions and visits made in obedience to orders, is to seek out the girls and women who give themselves up to public prostitution, and not those who have only to reproach themselves for an act of private debauchery, which, although reprehensible, ought not to expose her who is guilty of it to consequences which should only reach real prostitutes.

Thus, if a woman is found in furnished rooms, or in a public place, in the very act of debauchery, it does not therefore follow that there is sufficient imputation of prostitution against this woman, if she has habitual relations with the man whom she accompanies, and if there is no mention of solicitation for the sake of gain. For the greater reason when women are in bed alone, even in houses of ill-fame, more circumspection must be used with respect to them.¹

The inspectors therefore will address themselves with the greatest care to the examination of the women who are discovered in the course of official operations, so as to give all the information in their power, concerning each one's case, to the commissaries of police whom they assist in the execution of orders.²

TOLERATED PROSTITUTION.

1.—*Tolerated houses.*

The inspectors must exercise daily surveillance over the tolerated houses,

¹ Regulation of 1878: "It is expressly recommended that when women are found alone in bed, even in houses of ill-fame, arrests should not be made unless circumstances give the commissary of police the conviction that these women have just been committing an act of prostitution." (Compare with the last paragraph but one.)

² Regulation of 1878: "The commissaries of police must carefully and without delay examine into the circumstances which have led to the arrest of any unsubjected women; they shall, after having heard what the arrested person has to say, decide whether or no the arrest shall hold good. In case there is urgent need to proceed to certain verifications, they may do so by addressing a telegram to the chief of the municipal police through the office of the *officier de paix* of the *arrondissement*."

"They shall draw up the *procès-verbal* of the arrested persons' interrogatory."

"They are expressly forbidden to use printed formulas for these interrogations."

for the purpose of assuring themselves that nothing goes on there opposed to public tranquillity and good order, and that the mistresses of houses exactly and continually conform to the especial conditions which are imposed upon them and to the obligations of good order in general, and notably in what concerns the dress and number of girls who are allowed to go about, and the hour at which their walks commence and terminate.¹

As to the entrances and exits which take place secretly after the hour of closing, these shall not constitute an infraction punishable by law unless there shall result therefrom noise of such nature as to disturb public quiet.

They shall at once give account, by a special report, of every grave or extraordinary act which may have taken place in these houses, and shall continually remind the mistresses thereof that it is their duty to give information of any such act, immediately, to the commissary of police of their *quartier*, when they are unable to give such information in proper time to the office or to the chief of the active service of the dispensary.²

They shall see to the strict observance by the mistresses of houses of the directions given to them not to receive pupils of colleges (*lycées*), or civil schools, military men in uniform, or young people under the age of puberty (18 years).

They shall notify the houses which are the most habitually frequented by these young people.³

2.—*Women who are registered.*

The inspectors shall constantly look after the execution of all the provisions of the decree of the 1st September, 1842.

They shall require of isolated women, whether during visits made to furnished rooms or other places, or in the course of surveillance in the public streets, the production of their ticket, so as to assure themselves of their regularity in coming up for inspection, and so that they may seek out those who are behind hand, and who have been notified to them by the fortnightly bulletins issued by the administrative bureau.

They shall, if needful, accompany to their domicile those whose veracity on the question of the absence of their ticket they have reason to suspect.

The inspectors, who, being charged with the duty of taking a registered woman to the administrative bureau, do not find her at her domicile, shall confine themselves to giving notice of this circumstance without leaving any trace of their mission, so as not to give the woman sought for the idea of disappearing.

3.—*Women who have disappeared.*

Great circumspection must be employed in the search after women who have disappeared.

As a certain number of women cease to submit themselves to their sanitary obligations, only because they have returned to a regular life, the inspectors shall confine themselves as regards those who have disappeared to a particular report on the actual position of those women who have re-entered their family, who have betaken themselves to an honest life, or who do not appear any longer to draw their means of subsistence from public prostitution.

¹ Substitute : and the hours of going out and returning.

² In place of the last words : "The *officier de paix de l'attribution des mœurs*."

³ The last paragraph suppressed : "Shall notify the infractions committed."

Of those who have disappeared they shall only take to the administrative bureau those who are found in tolerated houses with public women, or in public places open to prostitution, and those who, being met with in the public streets, in furnished rooms, or rooms of their own, shall not come under any of the above-named instances of exception.

4.—*Transference of arrested women to the Préfecture.*

The public women whom the inspectors shall arrest in Paris or its precincts, and whom they cannot immediately take to the prefecture of police, shall be put into the stations designated in the circular of the 10th February, 1841, whence they shall be afterwards transferred "under escort of *sergents de ville*, as is prescribed in these instructions."¹

As to registered women and unsubjected women arrested by the commissaries of police or the mayors, as a result of operations in which they have been assisted by inspectors in the active service, their removal to the prefecture shall be carried out in the way indicated by the functionary who has made the arrest, when the inspectors who have assisted these commissaries of police cannot themselves take them to the prefecture, or put them in the special stations of the interior.²

PRECINCTS OF THE CITY³ (*BANLIEUE*).

With the exception of the surveillance of which the tolerated houses of the *banlieue* are the object, inspectors of the active service shall give no assistance to the mayor or commissary of police of the *banlieue* for the purpose of any extraordinary operations without the authorization of a special order.

The investigations which they shall undertake in these explorations shall have the sole object of seeking for women who are behind hand, and of all other women who are under special notice, and they shall leave to the mayors, or to the commissary of police, the care of making any enactment with regard to the other women who may have been discovered.

If a woman who is wanted for any reason whatsoever is reported as having retreated into a tolerated house, the *officier de paix* shall make a report for the purpose of obtaining a special order which the agent who is charged with its execution shall first present to the local authority, so that he may claim his assistance if need be.

SPECIAL PROVISIONS.

1.—*Public outrages against decency (Sodomy).*

The surveillance of inspectors of the active service of the dispensary shall extend to all offences of public outrage against decency, and especially to acts of Sodomy.

But they shall expressly abstain from all means which might seem to have the character of incitement or provocation, and shall endeavour above all to take the offender *flagrante delicto*.

The act of Sodomy attempted or consummated in a place open to the public constitutes the legal offence of public outrage against modesty.

2.—*Premiums.*

The operations of the inspectors of the active dispensary service shall

¹ The words between inverted commas replaced by "to the dépôt."

² All this paragraph is suppressed.

³ All this title is suppressed.

alone entitle to the premiums allowed for particular occasions arising out of this service.¹

3.—*Qualification of inspectors.*

The inspectors shall not for the future take in their reports, or in the declarations which they are called upon to make before the officers of judicial police, the title of employés, or inspectors of the *attribution des mœurs*, that denomination not having been sanctioned by the official decree of the health dispensary.²

GENERAL PROVISIONS.

The instructions of which the provisions are not hereby repealed shall continue to be carried out.

The particular notices which may be given to the active service of the dispensary to watch over persons, localities, or parts of the public road, and which may have a continuous character, shall be observed as long as the cause persists, and shall only be recalled in the reports arising from the successive results of the surveillances which are the object of these notices.³

ADMINISTRATIVE SERVICE.

ADDITION TO THE REGULATION OF 1878.

Previous to all operations, the interrogating commissary, chief of the *bureau des mœurs*, must proceed to examine the articles relating to the arrest of unsubjected women, so as to find out the occasions in which the corporal introspection may be omitted.

The interrogatory of unsubjected women is made by the interrogating commissary in person. He reads to the woman the declarations made by her, and makes her sign the depositions drawn up on this occasion. If necessary, he interrogates the agents.

When it is a question of proceeding to the registration of an unsubjected female of adult age who refuses to submit herself to sanitary and administrative obligations, or of an unsubjected female *who is under age*, instead of being limited, as has been hitherto the case, to a written account of the facts, the decision shall be reserved for a commission composed of the prefect or his deputy, the chief of the 1st division and the interrogating commissary. This commission shall hear the arrested woman and the agents.

It is important to remember that public women, at the time of their registration, receive a printed notice to the effect that they can have their names removed from the prostitution registers on their own demand, and on the proof, by a verification made elsewhere with discretion and reserve, that they have ceased to abandon themselves to debauchery.

As to the disciplinary punishments to be inflicted upon registered women, there shall be a continuance of the present custom—that is to say, the punishments shall be inflicted by the prefect, on the proposal of the interrogating commissary, signed by the chief of the 1st division. In all cases when a registered woman shall appeal against the punishment to be inflicted on her, her appeal shall be carried without delay before a commission composed of the prefect of police or his deputy, assisted by two commissaries of the city of Paris called by turns.

This commission shall make its decision after having heard the arrested person, as well as the agents, if necessary.

¹ Suppressed.

² Suppressed.

³ Suppressed.

When the commission has not been presided over by the prefect personally, its decision must be ratified by him.

In order to assure permanence of service, the sub-chief of the 3rd section of the 2nd bureau shall be nominated deputy interrogating commissary, but he shall only act in the case when the titular interrogating commissary is prevented doing so.

MEDICAL SERVICE.

Although no case has been brought forward where corporal inspection has been forcibly made,¹ it shall be recommended to the medical service to abstain from proceeding to such inspection when resistance is met with.

In this case, notice of the incident shall be immediately sent to the prefect.

ADMINISTRATIVE NOTE UPON THE MEASURES OF WHICH THE PUBLIC WOMEN IN PARIS ARE THE OBJECT (1864).

Every woman who notoriously abandons herself to public prostitution is reputed to be a public woman, and registered as such, either at her own request or officially.

Registration consists in the inscription, in a register especially devoted to this purpose, of the name and Christian names (*prénoms*) of the public woman, of her age, country, dwelling, and antecedent profession. Before registration she is made acquainted with the regulations concerning public women.

Registration is almost always voluntary; it is only proceeded with, officially, with respect to the small number of women, who, manifestly *abandoned* to lebauchery, and already arrested several times for acts of prostitution, or affected with contagious diseases, refuse to submit themselves to the measures which it is the duty of the authorities to subject them to, in the interest of order and of public health.

Public women are divisible into two classes: the *isolated*, or those who have a domicile to themselves, either as tenants of a house, or of furnished rooms, and the *filles de maison* (house women), a name appropriated to those who *dwell in* houses for prostitution, denominated *tolerated houses*.

They may pass from one class to another, after declaration previously made.

The women who rent tolerated houses, and who are called *maitresses de maison* (house mistresses), cannot proceed without the authorization of the administration, an authorization which they shall only obtain upon production of the written consent of the proprietor of the house which they wish to tenant, and of registered bail, and after researches have shown the necessity of a *tolerance* at the spot indicated.

For reasons of propriety, these houses must be as far as possible at a distance from churches or temples, national palaces, monuments, public offices or establishments, and educational buildings.

In the interests of the neighbours, it is required that windows in brothels shall be furnished with double curtains within, and with irremovable Venetian blinds without.

Mistresses of houses are responsible for disorderliness occurring either within or without their dwelling by any act of the women whom they take as lodgers, regularly or occasionally.

¹ A lie (*mensonge*).

Those who do not conform to the obligations which are laid upon them are deprived, temporarily or definitely, of their *tolerance*.

The number of women who may live in tolerated houses is regulated according to the locality.

The most important obligation which registration imposes upon public women is that of submitting to periodical sanitary inspections; for if, on the one hand, authority has taken the part which it has done with respect to these women from a desire to repress the scandal which they give rise to, it has it in view above all to prevent or arrest the effects of the frightful contagion which is spread by prostitution, and all its care has been to multiply the safeguards which the important interest of public health demands.

Twelve doctors (of whom one, under the title of surgeon-in-chief, has the direction of the service) are intrusted with these inspections.

Isolated women are inspected once a fortnight, at the medical bureau, where two surgeons of the service are constantly to be found.

The women in tolerated houses are inspected once a week at their homes, an increase of precaution rendered necessary by their having more frequent relations with men than is the case with women of the other class, by the apathetic carelessness peculiar to them, and by their habits, which are generally more disorderly than those of isolated women.

These latter, at the time of registration, receive a ticket which is renewed yearly.

When they have been inspected, their ticket is stamped to show that this duty has been accomplished; for at any moment of the day they may be obliged to show their ticket.

Inspections of women in the houses are shown by the doctors' signatures in a book with which the mistresses of houses are supplied, and from which they are bound to get registered at the administrative bureau the women who live with them.

They must also go to the same bureau in order to get the names of those who leave them removed, and these two formalities must be complied with in twenty-four hours at the latest, so that these women may not keep for longer than that time a woman who is not registered, or who is ill, and so that search may be made for those women who leave and do not immediately enter another house, or who do not come up to be placed on the list of the isolated.

Independently of the regular inspection, the women who are isolated, or who live in tolerated houses, shall undergo a fresh one at the medical bureau, every time that they pass from one class to the other, change their tolerated house, come up for passports, are arrested, or come out of prison or hospital.

When a woman is ascertained to be diseased in a house for prostitution, she is at once to be sent to the medical bureau for a second inspection.

The surgeons shall draw up a report upon each diseased woman, stating the nature of the infection.

The diseased are sent to the hospital the same evening, with the certificate of the surgeons of the medical bureau.

If amongst isolated women there are some who submit without constraint to sanitary obligations, that is not the case with the greater number, who seek to free themselves from these obligations.

The administrative bureau receives from the medical bureau the information which is necessary to identify the women who have failed in coming up for inspection.

A certain number of agents is specially charged with the duty of insuring execution of this part of the regulations.

Their mission is to engage the isolated women to show themselves punctually for inspection, and to compel those who are behind hand.

They are also obliged to visit the tolerated houses to assure themselves that the conditions imposed upon the women who keep them are exactly fulfilled, and that these women do not clandestinely receive young girls to prostitute them, or do not allow any other kind of disorderliness.

The women who give up prostitution, on their request, and after a time for trial, have their names removed from the registers.

ADMINISTRATIVE NOTE CONCERNING THE OBLIGATIONS OF MISTRESSES OF HOUSES (1879).

GENERAL OBLIGATIONS.

Mistresses of houses are bound to get the women who come to their house to live with them registered within twenty-four hours at the administrative bureau of the health dispensary.

When a woman registered in the book of the mistress of a tolerated house leaves her house, the mistress must, likewise, make declaration thereof to the same bureau, within twenty-four hours.

When the entrance or exit of a woman takes place on the eve of a holiday, after noonday, the mistress of the house must make declaration thereof on the next day before noon.

Mistresses of houses must keep their casements always shut, the panes must be rendered dull, or Venetian blinds fastened with padlocks must be used.

Those who are empowered to send out a woman to walk the streets, and to put a servant at their door, shall only let them go out half an hour after the time fixed for the lighting of the street-lamps, and never, in any time of the year, before 7 o'clock in the evening: and they must be made to return before 11 o'clock.

They must see that the behaviour of the women is decent, and must prevent them using solicitations by indecent gestures or proposals, frequenting the public houses, and getting intoxicated; remaining stationary on the public road; and forming groups there and walking there in companies.

When, during the interval between one medical inspection and another, they shall discover that a woman is attacked with a contagious disorder, they must immediately take her to the medical bureau.

They are expressly enjoined to inform the chief of the active service of the dispensary of all kinds of events which shall take place in the interior of their house or out of it by any acts of the women who live with them, without delay, and independently of the notice to be given to the commissary of police.

They are forbidden to receive minors, and pupils of the national colleges and schools, civil and military, in their uniform.

PREFECTURE OF POLICE.

See some extracts from the decree of the 1st December, 1874, relative to the dispensary:—

WE, THE PREFECT OF POLICE,

In view of the decrees of the 29th October, 1822, 10th November, 1826,

25th March and 30th April, 1828, 16th June, 1854, 23rd December, 1868, and 5th February and 31st December, 1872 ;

Have decreed and do decree as follows :

1st Article.—In the interests of the action of the police, with regard to the measures relating to prostitution, and in order to avoid disclosures susceptible of causing catastrophes and compromising the honour of families, the dispensary must in no case be considered as a place for medical practice (for teaching). No surgeon not belonging to the dispensary staff, and no person foreign to its service shall, without our special authorization, have access to the inspection room, nor even to the waiting rooms appropriated to registered women.

2nd Article.—The medical staff of the dispensary is made up of one surgeon-in-chief, one deputy surgeon-in-chief, fourteen titular-surgeons, and four deputy-surgeons.

The emoluments of these surgeons are as follows :—

1 Surgeon-in-chief,	...	...	...	3,600 francs	About (£144)
1 Deputy Surgeon-in-chief,	...	...	...	3,000 „	(£120)
1 Surgeon, ...	...	...	...	2,600 „	(£104)
4 „	...	...	...	2,400 „	(£96)
3 „	...	...	...	2,000 „	(£80)
4 „	...	...	...	1,800 „	(£72)
2 „	...	...	...	1,600 „	(£64)

The deputy-surgeons receive no emolument.¹

5th Article.—The health service of the dispensary is divided into interior and exterior service.

6th Article.—The interior service consists in inspecting the unsubjected women, and all women registered or to be registered in the prostitution registers, who present themselves at the dispensary, and making, in regard to this, all the verifications and writings necessary to secure medical supervision, and to attach it to administrative action.

This service is daily, Sundays and holidays excepted ; it commences at half-past 11 in the morning, finishing at 4 in the afternoon, and thus comprises three séances of an hour and a half each.

7th Article.—There shall always be at every séance two of the dispensary surgeons, without counting the surgeon-in-chief, and since the inspections must not suffer any interruption, the two surgeons on duty shall be bound to wait the arrival of the colleagues who replace them, before they retire.

Inspection of women who present themselves before the closing of the séance must never be put off till the morrow.

8th Article.—The interior service is performed by all the titular dispensary surgeons. Each of them is on duty at one of the séances every other day. The surgeon-in-chief is on duty every day. He is specially charged with the inspection of unsubjected women. In his default, this inspection is made by the deputy surgeon-in-chief.

9th Article.—All inspections submitted to by isolated women, by women

¹ In its session for 1875, the Municipal Council of Paris voted, on the proposition of M. Lafont, a credit of 8,000 francs (about £320), for the purpose of augmenting by 500 francs (£20) the salary of each of the dispensary surgeons, starting from the 1st January, 1876. Since then, M. Lafont has constantly voted against the morals police.

who have been arrested (*dépôt*), or by others sent from the administrative bureau, must be punctually and immediately registered in the dispensary registers.

10th Article.—When a woman shall have been ascertained to be diseased, mention shall be immediately made thereof in the daily journal and in the registers. In addition to this, there shall be sent to the surgeons of the infirmary of Saint Lazare a bulletin detailing the surname and Christian names of this woman, her disease and the date on which she was sent to the infirmary.

11th Article.—Whenever a dispensary surgeon shall have noticed that a woman is attacked with a disorder which is of suspicious character, although it may not appear to justify her removal to the infirmary, he shall consult with those of his colleagues who are present at the dispensary, and they shall together pronounce for the adjournment of the measure or its execution, if they judge it to be necessary. In case of adjournment, the decision taken must be inscribed on the register for that purpose.

12th Article.—The exterior service consists in going every week, and on a fixed day, to the tolerated houses within the walls of the city of Paris and within the suburban *Communes* of the *Département de la Seine*, to inspect all the women found there.

13th Article.—This duty shall be discharged by all the dispensary surgeons, *the surgeon-in-chief excepted*, but whilst his surveillance must extend over all parts of the service, he must, when he considers it useful, assure himself, by means of check inspections, of the proper execution of the sanitary inspections.

14th Article.—Division of the tolerated houses into as many districts as there are titular surgeons, and their apportionment amongst these surgeons, shall be made by the surgeon-in-chief, taking into account both the number of houses and of women which they contain, and of the distance and extent of the localities where they are situated.

This division and apportionment shall be submitted to us for our approbation.

15th Article.—The surgeons charged with the sanitary inspection in tolerated houses of the suburban communes may be absolved from taking part in the interior services of the dispensary.

16th Article.—Every surgeon shall transmit to the surgeon-in-chief, on the morrow of the inspection in tolerated houses, a bulletin which shall contain the number of women (*filles de maisons*) inspected, the names of those who, having been ill, or who, having failed to be inspected, must come up to the dispensary and be, under this heading, notified to the administrative bureau, and lastly the names of women who have been put under observation for the examination prescribed by the 11th Article.

17th Article.—Every three months the dispensary surgeons shall change their district, following an order of succession based upon the priority of their services.

18th Article.—Inspections made at their own houses upon isolated women, who on account of their illness have asked for and obtained inspection at home from our administration, must be considered as making part of the exterior service. These inspections shall be divided amongst the titular surgeons by the surgeon-in-chief.

19th Article.—Removals to the infirmary of Saint Lazare, and despatch of bulletins of health are decided without appeal by the surgeons of the service. The solution of all other questions, and particularly that of send-

ing back to the infirmary of Saint Lazare the women who have just been brought thence, is reserved for the surgeon-in-chief.

23rd Article.—With the exception of the case foreseen and indicated in the 18th Article, under no pretext may any inspection be made by the dispensary surgeons at the domiciles of women who are upon the police registers. Neither may the surgeons receive them in private consultation.

26th Article.—He shall, every month, transmit to us a report on the result of dispensary work for the month, and every year a general report embodying the various observations which the medical bureau has collected in the daily exercise of its functions.¹

27th Article.—When the surgeon-in-chief shall consider it useful to obtain information of any kind whatever from mistresses of houses and public women, he shall cause them to come to the dispensary by means of the chief of the administrative bureau. He shall propose to us to take, with regard to these women, all such measures as he may judge to be opportune in the interests of the health service.

30th Article.—Old regulations or practices consecrated by custom which are not contrary to the present regulations shall continue to have effect.

The Prefect of Police,

(Signed) L. RENAULT.

ADMINISTRATIVE NOTICE CONCERNING THE ACTIVE *SERVICE DES MOEURS*² (1879).

The *brigade des mœurs* is made up as follows:—

- 1 *Officier de paix*.
- 1 Chief inspector.
- 1 Brigadier.
- 3 Sub-brigadiers.
- 60 Inspectors.

Paris and its precincts are divided into 11 fractions, to which the name of *lots* (districts) is given. These are under the surveillance of three groups of inspectors directed by the three sub-brigadiers.

The first group takes in five *lots* and the precincts.

The second group and the third group each takes in three *lots*.

Each *lot* has as its titular an inspector, who has one or more deputies, according to the importance of the *lot*.

Thus, the first group comprises 5 *lotiers* and 12 deputy-inspectors; the second, 3 *lotiers* and 11 deputy-inspectors (this group has the surveillance of the *pédérastes*), and the third group has 3 *lotiers* and 3 deputy-inspectors.

Informations concerning the women who are arrested are taken by 7 inspectors.

Two others are attached to the 2nd bureau of the 1st division.

Four are permanently on duty at the bureau from nine o'clock in the morning to eleven o'clock at night.

¹ It will be seen further on that these reports are very insignificant and much in arrears, or that the prefect of police has, in common with the dispensary surgeon-in-chief, laughed at the municipal council by sending it ridiculous statistics whose exact date even is not given.

² This organization has been modified by the decree of the 9th March, 1881, which unites the *brigade des mœurs* with the *brigade de la sûreté*.

Four are employed as copying clerks.

Lastly, four inspectors are charged with the duties of filing papers, writing reports, and classifying.

RECAPITULATION.

<i>Lotiers,</i>	...	...	...	...	...	...	11
Deputy-inspectors,	...	...	...	...	...	...	26
Employed in obtaining information,	...	...	...	...	...	...	7
Copying and classifying,	...	...	...	...	...	...	8
Attached to the 2nd bureau of the 1st division,	...	...	...	...	...	...	2
<i>Permanence,</i>	...	...	...	...	...	...	4

II.

We thought it would be useful to give the complete text as above, and shall now point out the analogies and the differences between foreign and Parisian regulations.

Marseilles.—The same regulations as in Paris, only there is a tariff classifying prostitutes according to the nature of their licence :—

12th Article.—The sum due from each woman for the cost of the inspection is 50 centimes, 1 franc, or 2 francs, according to the locality and days of inspection, and the category to which they belong.

Those paying 50 centimes will be inspected on Mondays and Tuesdays at the dispensary itself. Those paying one franc will be inspected Wednesdays and Fridays at the dispensary of the *Coin Reboul*. Those paying 2 francs will be inspected on Saturdays at the same dispensary.

This payment is dispensed with in the case of women arrested for clandestine prostitution who will not come upon the register.

A modification was introduced in 1865 in the provisions of these two latter articles to the effect that women might, on their own request, be gratuitously inspected at the dispensary on the Monday, and that all those who demanded it might be inspected at their homes on Tuesday for 1 franc, on Wednesday and Friday for 2 francs, and on Saturday for 3 francs.

Bordeaux.—Dr. Jeannel has established an analogous system which he modestly looks upon as a masterpiece.

Women who, instead of coming on the Tuesday and Friday, come on the Thursday or Friday, pay the sum of 75 centimes. If they wait until the Saturday, they pay 2 francs. If she has no legitimate excuse, the woman who has not submitted herself to inspection by the Saturday at the latest is imprisoned for twenty-four hours. This punishment is increased to three days in case of a second offence, and to ten days in case of venereal disease.

“It is very curious,” says a report quoted by Dr. Jeannel, “to remark that this difference between the gratuitous proceeding and the two kinds of payment establishes a sort of classification amongst prostitutes. Only the very poor make use of the benefit of gratuitous inspection. Those who enjoy a certain amount of luxury, and are relatively in easy circumstances, come on the Thursday and Friday; and on the Saturday, those only come who belong to the richest houses, and those in greatest repute; and amongst the unattached (*libres*) women, those who are the most elegant and fortunate. It is a point of honour with them to pay for inspection.”

By means of what Dr. Jeannel calls optional payment, the Bordeaux municipality creates for itself an annual income averaging about 18,000 francs (about £720), which are voluntarily paid by the prostitutes and applied to the revenues of the dispensary. As the dispensary only costs 13,000 francs a year, the town acquires a bonus of about 5,000 francs (£200) from sanitary inspections!

In Algiers, registration of public women was carried out by the *mezouan*, the intendant-general of police, who, as he himself farmed these unfortunates, bought this advantage for an annual quit-rent.

The French police continued this system.

In Algiers, the tolerated houses pay 300 francs (£12) for an annual licence, and 57 francs (£2 7s. 6d.) for a patent right. Registered women, whether in these houses or in their own homes, pay yearly the sum of 108 francs (£4 10s.—9 francs a month, 3 francs every ten days) for the cost of inspection. The women who present themselves at the dispensary without paying are inspected, but a credit account is opened with them, to such an extent that the dispensary official said one day:—"We have women who owe us so much that they will never be able to get out of our debt, and will be obliged to remain prostitutes all their life."¹

The ecclesiastical authorities have contributed to this situation. After the famine years of 1868-1869, children were brought up by them. They were baptized and tattooed in the forehead with the double Latin cross. Later on, the Arabs rejected these unbelieving orphans, and they had no resource left but prostitution.

At Brest and Lorient, the ministers of the navy and of war contribute to the cost of the morals police by an annual subsidy.

At Montpellier, a decree of 1872, due to M. Coste, invites landladies to denounce the women living with them to the police.

III.

Brussels.—Brussels, naturally, wished to have regulations like those of Paris. They date from the 10th April, 1844.

M. Lenaers, in his report of the 1st February, 1876, declared "that they were the best and most complete in existence." Nevertheless, he completed and improved them still more.

In the report preceding these new regulations, he begins by trying to prove the legitimacy of the registration of women under age, and of married women. He justifies the tax established in Brussels and confirms it.

The fourth article of the ordinances of the 14th June, 1851, "forbade isolated women to receive men elsewhere than in an accommodation house." M. Lenaers shows that this article is

¹ *Ann. d'hyg.*, July, 1853, t. V., p. 248.

impracticable. He invokes as his authority the regulations of the city of Hamburgh, "which forbids prostitutes to have relations with men elsewhere than in their own dwellings." In the canton of Geneva, "isolated women and those in lodgings are brought forward by the authorities as a creation of the greatest utility."

1st Article.—All girls or women who habitually give themselves up to prostitution are deemed to be prostitutes.

3rd Article.—Any non-registered girl or woman who shall be pointed out as giving herself up to prostitution, shall be summoned to the *bureau de police* in order to be questioned there, and if there is occasion, shall be officially registered by the college of the Burgomaster and *Echevins*.

She who does not obey the first summons may be punished in the manner provided by Article 46 of the present regulations.

31st Article.—A payment shall be made by all tenants of brothels and accommodation houses according to a tariff issued to that effect by the communal administration.

32nd Article.—This payment is to be made beforehand, and without being returned in any case.

34th Article.—Inspections for isolated women and for those in tolerated houses take place twice a week.

35th Article.—The women of the first two classes will be inspected at their domiciles.

Isolated women may be inspected at home, provided they pay to the dispensary beforehand, for four inspections at a time, at the rate of one franc for each inspection.

In virtue of Articles 28 and 30 of the penal code of the 8th June, 1867, Article 50 punishes infractions of regulations by a fine amounting for the maximum to 25 francs, and by a maximum imprisonment of 7 days.

In Paris, infraction of regulations is "punished officially," and not judicially.

Such are the principal provisions differing from the regulations of Paris.

The scandals of the lawsuits against the Belgian panders showed that these perfect regulations were indeed to some extent inconvenient.

The burgomaster, M. Buls, has just proposed the following modifications :—¹

Girls under age not to be allowed to reside in public tolerated houses.

Food and drink not to be sold in houses of debauchery.

If the woman demands her liberty, the *agent des mœurs* must immediately secure it to her.

The garments, jewels, and other things belonging to women who wish to quit the house, may not be detained under any pretext by the tenant of the house.

In cases of need, the sum necessary for the woman to regain her home or her new destination, shall be supplied.

¹ 5th December, 1881.

For this purpose every tenant of a tolerated house is bound to deposit in the communal chest a sum determined by the decree which licenses his establishment.

The *service des mœurs* shall be made in rotation, and shall have a special remuneration.

The annual conference of the Federation met at Liège, in September, 1879. This meeting interested the communal college, which overhauled its regulations and added thereto the following provisions:—

Liège (Regulations of the 11th July, 1879).—10th Article.—Isolated women are forbidden to receive men elsewhere than in houses authorized in the terms of the present regulations.

19th Article.—It shall be the duty of the agents of the communal administration to put, in houses for prostitution, in a place selected by the police, and at the expense of the tenants of the house, boxes for the reception of appeals which the women think they should address to the authorities.

The keys of these boxes must be deposited with the Burgomaster.

20th Article.—In case a lodger leaves, her effects shall be restored to her. In the same way she shall have the right of taking with her the goods which she has bought during her stay in the house.

13th Article provides for two inspections weekly.

Infraction of regulations is punishable by a fine of from 5 to 15 francs, and by imprisonment of from 1 to 5 days.

3rd Article.—Official registration shall only take place by authorization of the college of the Burgomaster and burghers.

Immediately after registration, the woman shall be submitted to sanitary inspection.

IV.

In Holland, as in Belgium and France, regulations are confined to the *communes*. They exist at the Hague, at Leyden, Haarlem, Utrecht, Ardheim, and Rotterdam.

I quote the two following articles from the regulations for Rotterdam, the first on account of the contradiction characterizing it; the second, because I shall show farther on in what way it is observed:

1st Article.—Although forbidden in principle, the existence of public houses of ill-fame may be tolerated by the director of police on particular conditions, and without in any way contravening the general rule established in this respect.

8th Article.—Tenants of these houses must remember that they are liable to all the rigour of the law in case of offence against modesty, or seduction of girls under age.

Amsterdam.—Amsterdam has no regulations. The action of the local police is limited to preventing public scandal, no ordi-

nance however permitting them to directly intervene; they have also to oppose, as much as possible, admission of girls under age into houses of debauchery. Women are not obliged to be registered.

V.

Italy.—It has been remarked that the above regulations are not based upon legal writings. In Paris, the prefect of police issues orders; in Brussels, the burgomaster does the same. In Italy, the affair is regulated by Article 86 of the Law of Public safety of the 20th March, 1865, which replaces Article 119 of the Law of Public safety of the 13th November, 1859.

PROVISIONS CONCERNING PUBLIC MORALITY.

86th Article.—The authorities for Public safety shall arrest all those who clandestinely keep houses for prostitution.

In the interests of order, morals, and public safety, the government may make regulations relative to women who give themselves up to prostitution.

The regulations dated 15th February, 1860, dictated by the minister of the interior, and in the first place destined for the cities of Piédmont, Turin, Geneva, and Milan, are now applied to all the Italian cities.

These regulations, besides provisions which are similar to those of France and Belgium, contain the following special provisions :

7thly.—Prostitutes are forbidden to remain out of doors without legitimate motive after 8 o'clock in the evening, from October to March inclusively; and after 10 o'clock in the evening during the other months.

8thly.—They are forbidden to wander about the streets, in particular those near their houses, and especially during the evening.

9thly.—They are forbidden to frequent theatres, and those who present themselves there in an indecent manner will be punished.

The regulations contain in addition certain provisions entirely special to tolerated houses.

In principle the prostitute must inhabit a tolerated house. Only Article 17 contains this modifying proviso :

“ Authorization for a prostitute to inhabit a house of her own shall only be granted by the *questeur* (chief of the police), or by the Public Safety authorities, with much reserve and never without the consent of the owner of the house.”

28th Article.—If a prostitute wishes to change her dwelling, whether she lives in a tolerated house or in a home of her own, she must in the first place ask for an authorization from the *questeur*, or from the Public Safety authority, by means of the bureau, which shall offer its advice beforehand.

Authorization to dwell in a house of her own, shall not be accorded to a prostitute from a tolerated house except for family reasons, or for her health's sake.

41st Article.—Tolerated houses are divided into three classes:—

To the first-class belong houses where the price of admission is fixed at 5 francs and upwards.

To the second, those where the price is from 2 to 5 francs.

To the third, those where the price is less than 2 francs.

54th Article.—At the charge of the householders in the first category are:

1st. The board of the prostitute, the supply to her of articles of clothing for the house and for out-of-doors, the payment of the tax and the fee for sanitary inspection, and the cost caused by an illness not of venereal character and attended to in the tolerated house.

2nd. The clothing, linen, and all things requisite for cleanliness on the part of the prostitute during her residence in the syphilitic hospital.

55th Article.—When a prostitute enters a tolerated house, the householder must immediately proceed to make an inventory of the articles of clothing and other objects belonging to this woman. This shall be written down in a special register kept by him for this purpose.

If the householder makes a payment on account of a prostitute, he must at once make declaration thereof at the bureau, and present the receipt relative to it.

56th Article.—A prostitute is not obliged, during her stay in a tolerated house, to make use of the goods belonging to her as her own. These goods shall be preserved by the householder, who must give them up to her when she leaves, together with all those which she may have acquired at her own expense, and of which a description shall have been added to the inventory. The registers containing the inventory of goods belonging to the prostitutes shall be verified and viséd at the sanitary bureau.

57th Article.—The income arising from prostitution in houses of the first category shall be divided as follows:—Three-fourths to the householder and one-fourth to the prostitute.

In houses of the second category it shall be divided as follows:—Two-thirds to the prostitute and one-third to the householder.¹

Division of gains shall be made every fortnight.

Prostitutes who have to repay advances recognized by the sanitary bureau shall leave the half of their share to be carried to the reduction of their debt.

These deductions shall be inscribed in a special register that shall be verified by the bureau whenever it may be thought necessary.

58th Article.—Householders are actually forbidden to inflict any pecuniary fine upon prostitutes as punishment for any fault, or to ill-treat them.

59th Article.—Householders are also forbidden to admit into their establishment any girls who have not passed their sixteenth year.

The authorization will be withdrawn in case of transgression.

60th Article.—If a prostitute manifests an intention to renounce prostitution, the householder must immediately give notice thereof to the sanitary bureau, which shall encourage the woman to realize her resolution.

In this case the fact that the prostitute has contracted a debt to the householder shall be no obstacle to her leaving the tolerated house.

¹ The regulations do not indicate the method of division for houses of the third category.

61st Article.—In Turin, Milan, and Genoa, the householders of both categories must pay to the bureau, besides the tax for the sanitary inspection of the prostitutes dwelling with them, an annual sum fixed according to the categories.

62nd Article.—Householders of both categories are bound to affix, in a suitable place in their establishment, an extract from the present regulations containing the articles relating to tolerated houses, and indicating, in addition, in large letters, the class to which the house belongs.

They are forbidden to modify their tariff without having first made declaration thereof to the sanitary bureau.

63rd Article.—When a difference arises between a prostitute and a householder, or a procuress, which is not competent for settlement before the tribunals, it shall be reported to the sanitary bureau, which shall employ such measures as are necessary for conciliation.

71st Article.—All prostitutes are obliged to be inspected twice a week—that is, once every three days.

74th Article.—It is at the option of isolated prostitutes to be inspected at their dwelling if they pay before hand to the bureau the amount of the tax for four inspections at the rate of a franc and a half each.

78th Article.—A prostitute who fails to come up for inspection without having given notice thereof to the bureau shall be arrested and brought up for inspection.

In case of a second failure, as also in case she seeks to put any obstacle in the way of a minute and exact examination, such as should be that of the inspecting surgeon, she may be subjected to coercive measures according to the gravity of the case.

79th Article.—If an isolated prostitute during three consecutive months has presented herself punctually for inspection on the days prescribed, and has regularly paid the tax fixed for inspection, the entire amount paid by her shall be restored to her at the end of three months.

86th Article.—A prostitute who, after having been declared infected, shall absent herself in place of presenting herself at the bureau in order to be sent to the syphilitic hospital, shall be immediately arrested and conducted by force to the hospital, and when she leaves the hospital, shall be punished with imprisonment for from five to fifteen days.

88th Article.—When a prostitute finds herself more than 7 months advanced in pregnancy, she must, if healthy, be sent to the maternity hospital; if she is infected, she must be put in the syphilitic hospital until she is cured, and then transferred to the maternity hospital.

A prostitute who has means of living may, in case of pregnancy, place herself with a licensed accoucheuse, the consent of the bureau being first to be obtained.

At the termination of the 5th Hygienic Congress held in Italy, it was learned that the receipts from prostitution were employed by the State secret-service money—an ingenious affinity between collection and destination!

Parliament took up the matter. The receipts were placed to the credit account of the Minister of the Interior. These receipts make a part of the State Budget.

VI.

Germany.—The Prussian code contained the following provisions :—

999th Article.—Women of ill-fame who make merchandise of their bodies must withdraw into brothels tolerated by public authority and under surveillance.

1000th Article.—Brothels must be tolerated only in great and populous towns, and must be widely removed from public streets and ways.

1001st Article.—But, even in these towns, no one must set up any without the express authorization of the Magistrate of Police, on penalty of detention for one or two years in a house of correction.

1004th Article.—Men or women keeping these houses must not admit any woman into them secretly and without permission from the Magistrate of Police, on penalty of 50 crowns for each infraction of this provision.

1007th Article.—Women who are under age must not be received into brothels. If that has been done without the knowledge of the Magistrate of Police, or contrary to his prohibition, he or she who keeps the house must be sentenced to imprisonment for one or two years.

1014th Article.—If the mistress of a tolerated house does not immediately inform the Magistrate of Police when a woman is infected with venereal disease, she incurs for the first time imprisonment for three months, and in case of a second offence, detention in a house of correction for six months, with whipping at her entry therein and exit therefrom.

1015th Article.—If a woman attacked with venereal disease have concealed her illness and thereby given occasion for its communication, she must undergo detention in a house of correction for from six months to a year, and in addition, whipping at her entry and exit.

1016th Article.—In general, the Magistrate of Police shall employ all his care and surveillance to the taking of measures for arresting the progress of venereal contagion.

1023rd Article.—Women who make a trade of prostitution, without having placed themselves under the surveillance of the police, must be arrested and sentenced to hard labour for three months.

1025th Article.—Nevertheless, women who have incurred the penalty mentioned in Article 1023, shall obtain remission of the sentence if they make known their pregnancy conformably with the laws,¹ &c.

In 1845, the government closed the tolerated houses in Berlin. General de Wrangel re-opened them a few years after, in the interest of the garrison, he said. Very detailed regulations were issued in 1853, comprising the following special provisions :

Inspection twice a week for women in tolerated houses.

If a woman fails to come up for inspection for the second time, she undergoes imprisonment for from a week to a month, with hard labour.

¹ General Code for the Prussian States, 2nd Part, tit. XX., Sect. XII., *Of carnal offences.*

The regulations contain a "form of request for authorization to keep a brothel" in 26 articles ; a set of regulations imposed on heads of houses, in 16 articles ; and a set of orders to prostitutes, in 18 articles. The householder pays a sum of money on receiving his authorization ; he must pay a monthly contribution for each woman. He undertakes to denounce any woman whom he suspects to be diseased : "For every infraction in this respect I will pay a fine of from 10 to 100 thalers (£1 10s. to £15), and I make myself responsible for all damage that third parties shall have suffered from the infection which this prostitute may have communicated to them."

The prostitute who, in this case, does not denounce herself, shall be punished by imprisonment of 6 months to a year, "a penalty inflicted by law on those who knowingly and voluntarily are guilty of spreading disease."

Brothels were again suppressed in 1855 ; but the provisions of the regulations remained in force for isolated women.

Registration is supposed to be voluntary : no difference is made between those of age and those under it. Non-registered prostitutes are forbidden to solicit in the street. As in Paris, prostitutes are forbidden to dwell several of them together in the same house ; but this article is not applied. Gratuitous inspection takes place once a week ; prostitutes are divided into two categories : the lower class of prostitutes who must come to the dispensary, and the aristocratic ones whom the surgeon inspects at their homes. If they are diseased, a penalty is inflicted on them. It seems that blows with a stick even are resorted to.

In some German cities the police registers prostitutes, but gives neither ticket nor certificate of inspection, in order to avoid "the appearance of delivering to vice a licence for hawking."

At Hamburg the tolerated houses were closed on the night of 17th September, 1876. The girls were cast without money on the streets. The police transported to the frontier those who were not of German birth. The same year the houses were closed in the same way in Kiel, Altona, Flexbourg, and Hoderlesben. In Dresden all the women, whether isolated or in tolerated houses, are subjected to the same obligations. "Isolated women" are forbidden "to place themselves at the windows of their apartments, which must besides be furnished at all seasons with thick and variegated curtains." There are tolerated houses at Mayence and Leipzig.

VII.

Austria.—In Vienna there are no recognized brothels : the law orders prostitutes to be imprisoned. Mr. Wilde, quoted by Mr. Acton, gives the number of women living by prostitution in Vienna as not less than 15,000. Every suspected woman met with in the streets after a certain hour is arrested, submitted to sanitary inspection, and consigned to the hospital if she is found to be diseased. The police have the power of entering with a sanitary surgeon into the domicile of women who live by prostitution, and of sending them to the hospital if they are found infected with venereal diseases.

VIII.

Denmark.—The morals police established itself little by little from 1820 to 1830; in 1841, inspection was appointed to take place twice a month; in 1844, once a week; in 1853, twice a week.

In 1844, a law took the place of the police regulations; in 1874, there was a new law to prevent propagation of contagious diseases.

In Copenhagen, the women who wish to give themselves up to prostitution must make request thereof to the police: they are only registered if they have completed their eighteenth year, which is the age for emancipation in Denmark.

The names of girls who have received an authorization are inscribed in a register in which are written the names of women to whom an authorization to become prostitutes has been refused.

If a diseased prostitute has spontaneously submitted herself to medical treatment as soon as she has found herself to be attacked with venereal disease, she is treated gratuitously, and set free after her cure. But when the police has had to compel her to submit to treatment, and when it can be proved that the woman has concealed her disease, she is punished with from 5 to 30 days of imprisonment on bread and water, or even with detention for several months in a house of correction. The same proceedings are observed with respect to non-registered women attacked with venereal diseases.

Sweden.—In Stockholm, regulations have been introduced by the doctors and police irrespective of law. The law interdicts brothels, but they are tolerated and numerous.¹

Spain.—Registration is always voluntary, unless it infringes the rights of third persons over the registered woman, or lessens the civil or criminal responsibility which she may have incurred.

There is a tax on tolerated houses and on the women.

IX.

England.—In England, until 1864, there had been no attempt made to organize prostitution. Lord Clarence Paget, Chief Secretary of the Admiralty, brought in the *Contagious Diseases Prevention Act*, which placed under a special régime eleven naval and military stations, for the object of arresting

¹ Letter from M. Testuz.

the development of syphilitic diseases in the sea and land forces.

On the 20th June, at two o'clock in the morning, it was presented for the first reading before a small number of members of the House of Commons, and without raising any debate. On the 27th June, the bill was read the second time, in the midst of the same silence. On the 30th June, at two o'clock in the morning, before an assemblage composed for the greater part of Government officials and persons known to be favourable to the proposed law, a committee was named, and this committee presented its report by the 15th July. On the 19th July, the bill was referred to the committee for amendments. On the next day the committee presented itself anew before the House, and on the 21st July the project was adopted at the third reading without a word of discussion. "This Act," says the *Journal of the Working Men's League*, "adopted so hurriedly and with a sort of mystery at a most advanced period of the night, in presence of an insignificant number of persons, and carried without discussion, has for the first time introduced a system of police espionage, medical despotism, and legalization of vice, absolutely new in English legislation."

An association was formed for extending the Contagious Diseases Prevention Act to the entire population, and in 1866, under pressure from the promoters of this association, and, thanks to the indifference of the public, and of the greater part of the members of Parliament, the Act of 1864 was replaced by a new one.

"On the 16th March, 1866, at one o'clock in the morning," says the *Medical Inquirer*, "this Act, destined to amend that of 1864, was presented for the first reading. The second reading took place on the 22nd. On the 9th April, it was referred to a special committee, upon which sat five vice-presidents of the Association for the extension of the Act to the entire population, and other members who had formed part of the preceding committee. On the 26th, at two o'clock in the morning, the committee presented its report. A timid effort was then made to start discussion on a proposed law having so serious a bearing, but it was met by the monstrous assertion 'that a bill of this nature ought not to be discussed in public.' A member attempted to introduce, instead of the article defining the powers granted to the police, an amendment which alone could offer some guarantee against the abuse of power on the part of subaltern officials. This was to the effect that

the judge before whom the inquiry should be made must in all cases require proofs by witnesses, otherwise than by the simple attestation of policemen. This amendment was rejected without a word of explanation. The whole affair had been arranged with so much secrecy and cleverness that there was not one member of Parliament in twenty who had any knowledge of the bill. It was generally supposed that it was a measure concerning cattle, and in the electoral body there was not one elector in twenty thousand who took account of this violation of the constitution, accomplished after midnight, and in presence of almost deserted Parliamentary benches."

Two years later, in July, 1868, an unimportant amendment was added to the Act of 1866; and in July, 1869, a new Act completed and extended the provisions of former Acts, and increased from eleven to eighteen the number of localities to which legislative provisions concerning prostitution were applied.

The Act of 1866, the explanatory Act of 1867, and the Act of 1869, may be cited together under the official title of the Contagious Diseases Acts.¹

Since that time, no others have been made, and no one has dared to demand their extension. We do not reproduce these Bills, very lengthy and complicated, like all English laws; we confine ourselves to mentioning the principal provisions characterizing them.

FIRST CONTAGIOUS DISEASES ACT, 1866.

29 Victoria, Cap. 35.

An Act for the better Prevention of Contagious Diseases at certain Naval and Military Stations. (11th June, 1866.)

Be it enacted by the Queen's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :—

1. This Act may be cited as The Contagious Diseases Act, 1866.

2. In this Act,

The term "Contagious Disease" means Venereal Disease, including Gonorrhœa.

The term "Police" means Metropolitan Police, or other Police or Constabulary authorized to act in any Part of any Place to which this Act applies.

The term "Superintendent" means inspector.

The term "Chief Medical Officer" means the principal Physician or Surgeon for the Time being attached to or doing duty at a Hospital, or the House Surgeon or Resident Surgeon of the Hospital.

The term "Justice" means a Justice of the Peace having Jurisdiction in

¹ Sheldon Amos, *Laws for the regulation of vice.*

the County, Borough, or Place where the Matter requiring the Cognizance of a Justice arises, or in any Part of any Place to which this Act applies.

The term "Two Justices" means two or more Justices assembled and acting together, and includes any Police or Stipendiary Magistrate or other Justice having by Law for any Purpose the Powers of Two Justices.

4. The Places to which this Act applies shall be the Places mentioned in the First Schedule to this Act, the Limits of which Places shall, for the Purposes of this Act, be such as are defined in that Schedule.

5. (Expenses are to be paid under direction of the Admiralty and the Secretary of State for War.)

6. (Appoints the visiting surgeons.)

8. (The Admiralty, &c., has power to provide hospitals and certify them.)

The following are the combined provisions of the Acts of 1866 and 1869 relating to inspection and registration of the women :—

An Act to amend the Contagious Diseases Act, 1866 (11th August, 1869).

3. Any woman who, on attending for examination or being examined by the visiting surgeon, is found by him to be in such a condition that he cannot properly examine her, shall, if such surgeon has reasonable grounds for believing that she is affected with a contagious disease, be liable to be detained in a certified hospital, subject and according to the provisions of the Contagious Diseases Acts, 1866 to 1869, until the visiting surgeon can properly examine her, so that she be not so detained for a period exceeding five days. The visiting surgeon shall sign a certificate to the effect that she was in such a condition that he could not properly examine her, and that he has reasonable grounds to believe that she is affected with a contagious disease, and shall name therein the certified hospital in which she is to be placed; and such certificate shall be signed and otherwise dealt with in the same manner, and have the same effect, except as regards duration, as a certificate under the principal Act.

If the reason that the visiting surgeon cannot examine the woman is that she is drunk, she may be detained upon an order of the visiting surgeon for a period not exceeding twenty-four hours in any place named in the order, where persons accused of being drunk and disorderly, or of offences punishable summarily, are usually detained, and the gaoler or the keeper of such place shall, upon the receipt of such order, receive and detain the woman accordingly.¹

4. Where an information on oath is laid before a justice by a *superintendent of police, charging to the effect that the informant has good cause to believe that a woman therein named is a common prostitute*, and either is resident within the limits of any place to which this Act applies, or, being resident within ten miles of those limits, or having no settled place of abode, has, within fourteen days before the laying of the information either been within those limits for the purpose of prostitution, or been outside of those limits for the purposes of prostitution in the company of men resident within those limits, the justice may, if he thinks fit, issue a notice thereof addressed to such woman, which notice the superintendent of police shall cause to be served on her :²

¹ A provision not found in the Act of 1866.

² A new provision replacing and adding to Article 15 of the Act of 1866. The radius of 5 miles is increased to 10 miles. But in the drawing up of Form E of the 2nd Schedule, the radius of 10 miles is in reality found to be 15 miles.

Provided, &c. (limit for Woolwich).

16. (Act of 1866). In either of the following cases, namely—

If the Woman on whom such a Notice is served appears herself, or by some Person on her behalf, at the Time and Place appointed in the Notice, or at some other Time and Place appointed by Adjournment ;—

If she does not so appear, and it is shown (on Oath) to the Justice present that the Notice was served on her a reasonable Time before the Time appointed for her Appearance, or that reasonable Notice of such Adjournment was given to her (as the Case may be)—

The Justice present, on Oath being made before him substantiating the Matter of the Information to his Satisfaction, may, if he thinks fit, order that the Woman be subject to a periodical Medical Examination by the Visiting Surgeon for any Period not exceeding One Year, for the Purpose of ascertaining at the Time of each such Examination whether she is affected with a Contagious Disease ; and thereupon she shall be subject to such a periodical Medical Examination, and the Order shall be a sufficient Warrant for the Visiting Surgeon to conduct such Examination accordingly.

5. (Act of 1869). Any order for subjecting a woman to periodical medical examination shall be in operation and enforceable as long as and whenever such woman is resident within ten miles of the limits of the place where the order was made, instead of within five miles, as prescribed by section thirty-two of the principal Act.

17. (Act of 1866). Any Woman, in any Place to which this Act applies, may voluntarily, by a Submission in Writing signed by her in the Presence of and attested by the Superintendent of Police, subject herself to a periodical Medical Examination under this Act for any Period not exceeding One Year.

6. (Act of 1869). Where a woman, in pursuance of the principal Act, voluntarily subjects herself by submission in writing to a periodical medical examination under that Act, such submission shall, for all the purposes of the Contagious Diseases Acts, 1866 to 1869, have the same effect as an order of a justice subjecting the woman to examination ; and all the provisions of the principal Act respecting the attendance of the woman for examination, and her absenting herself to avoid examination, and her refusing or wilfully neglecting to submit herself for examination, and the force of the order subjecting her to examination, after imprisonment for such absence, refusal, or neglect, shall apply and be construed accordingly.

20. (Act of 1866). If on any such Examination the Woman examined is found to be affected with a Contagious Disease, she shall thereupon be liable to be detained in a Certified Hospital subject and according to the Provisions of this Act, and the Visiting Surgeon shall sign a Certificate to the Effect that she is affected with a Contagious Disease, naming the Certified Hospital in which she is to be placed, &c.

21. (Act of 1866). Any Woman to whom any such Certificate of the Visiting Surgeon relates may, if she thinks fit, proceed to the Certified Hospital named in that Certificate, and place herself there for Medical Treatment, but if after the Certificate is delivered to her she neglects or refuses to do so, the Superintendent of Police, or a Constable acting under his Orders, shall apprehend her, and convey her with all practicable speed to that Hospital, and place her there for Medical Treatment, and the Certificate of the Visiting Surgeon shall be a sufficient Authority to him for so doing, &c.

7. (Act of 1869). A woman may be detained for a further period not

exceeding three months, in addition to the six months allowed under section twenty-four of the principal Act, if such certificate as is required by that section (to the effect that her further detention for medical treatment is requisite), is given at the expiration of such six months; so, nevertheless, that any woman be not detained under one certificate for a longer time in the whole than nine months.

25. (Act of 1866). If any Woman detained in any Hospital considers herself entitled to be discharged therefrom, and the Chief Medical Officer of the Hospital refuses to discharge her, such Woman shall on her Request be conveyed before a Justice, who, if he is satisfied upon reasonable Evidence that she is free from a Contagious Disease, shall discharge her from such Hospital, and such Order of Discharge shall have the same Effect as the Discharge of the Chief Medical Officer.

28. (Act of 1866). In the following cases, namely—

If any Woman subjected by Order of a Justice under the Act to periodical Medical Examination at any Time temporarily absents herself in order to avoid submitting herself to such Examination on any Occasion on which she ought so to submit herself, or refuses or wilfully neglects to submit herself to such Examination on any such Occasion;

If any Woman authorized by this Act to be detained in a Certified Hospital for Medical Treatment quits the Hospital without being discharged therefrom by the Chief Medical Officer thereof by Writing under his Hand (the Proof whereof shall lie on the Accused);

If any Woman authorized by this Act to be detained in a Certified Hospital for Medical Treatment, or any Woman being in a Certified Hospital under Medical Treatment for a Contagious Disease, refuses or wilfully neglects while in the Hospital to conform to the Regulations thereof approved under this Act;

Then and in every such Case such Woman shall be guilty of an Offence against this Act, and on summary Conviction shall be liable to Imprisonment, with or without Hard Labour, in the Case of a First Offence for any Term not exceeding One Month, and in the Case of a Second or any subsequent Offence for any Term not exceeding Three Months; and in the Case of the Offence of quitting the Hospital without being discharged as aforesaid the Woman may be taken into Custody without Warrant by any Constable.

31. (Act of 1866). If on any Woman leaving a Certified Hospital a Notice in Writing is given to her by the Chief Medical Officer of the Hospital to the Effect that she is still affected with a Contagious Disease, and she is afterwards in any Place for the Purpose of Prostitution without having previously received from a Visiting Surgeon appointed under this Act, a Certificate in Writing endorsed on the Notice, or on a Copy thereof certified by the Chief Medical Officer of the Hospital (Proof of which Certificate shall lie on her) to the Effect that she is then free from a Contagious Disease, she shall be guilty of an Offence against this Act, and on summary Conviction before Two Justices shall be liable to be imprisoned, with or without Hard Labour, in the Case of a First Offence for any Term not exceeding One Month, and in the Case of a Second or any subsequent Offence, for any Term not exceeding Three Months.

32. (Act of 1866.) Every order under this Act subjecting a Woman to periodical Medical Examination shall be in Operation and enforceable, in Manner in this Act Provided, as long as and whenever from Time to Time the Woman to whom it relates is resident within the Limits of the Place to

which this Act applies wherein the Order was made, or within Five Miles of those Limits,¹ but not in any case for a longer Period than One Year ; and where the Chief Medical Officer of a certified Hospital, on the Discharge by him of any Woman from the Hospital, certifies that she is free from a contagious Disease (Proof of which Certificate shall lie on her), the Order subjecting her to periodical Medical Examination shall thereupon cease to operate.²

33. (Act of 1866.) If any Woman subjected to a periodical Medical Examination under this Act (either on her own Submission or under the Order of a Justice), desiring to be relieved therefrom, and not being under Detention in a Certified Hospital, makes Application in Writing in that Behalf to a Justice, the Justice shall appoint by Notice in Writing a Time and Place for the Hearing of the Application, and shall cause the Notice to be delivered to the Applicant, and a Copy of the Application and of the Notice to be delivered to the Superintendent of Police.

34.³ (Act of 1866.) If on the hearing of the Application it is shown to the Satisfaction of a Justice that the Applicant has ceased to be a common Prostitute, or if the Applicant, with the Approval of the Justice, enters into a Recognizance, with or without Sureties, as to the Justice seems meet, for her good Behaviour during Three Months thereafter, the Justice shall order that she be relieved from periodical Medical Examination.

35. (Act of 1866.) Every such Recognizance shall be deemed to be forfeited if at any Time during the Term for which it is entered into, the Woman to whom it relates is (within the Limits of any Place to which this Act applies) in any public Thoroughfare, Street, or Place for the Purpose of prostitution, or otherwise (within those Limits) conducts herself as a common Prostitute.

9. (Act of 1869.) Any woman subjected, either on her own submission, or under the order of a justice, to a periodical medical examination under the principal Act, who desires to be relieved therefrom, and is not under detention in a certified hospital, may make application in writing in that behalf to the visiting surgeon.

The visiting surgeon shall cause a copy of such application to be delivered to the superintendent of police, and if, after a report from such superintendent, he is satisfied by such report or other evidence that the applicant has ceased to be a common prostitute, may, by order under his hand, direct that she be relieved, and she shall thereupon be relieved, from periodical medical examination, &c.

36. (Act of 1866.) If any Person, being the Owner or Occupier of any House, Room, or Place within the limits of any Place to which this Act applies, or being a Manager or Assistant in the Management thereof, having

¹ The radius of five miles is increased to ten miles by Article 5 of the Act of 1869.

² Consequently when a woman leaves the hospital and is cured at the time, the order subjecting her to medical examination ceases to have effect (before the expiration of the lawful term of one year), and the woman is no longer considered a prostitute.

³ This article offers to a woman the option of freeing herself from legalized prostitution ; but the following article (35) making judgment as to the future conduct of this woman dependent on the denunciation of a police officer, the chance of this means of salvation mentioned in Article 34 becomes illusive.

reasonable Cause to believe any Woman to be a common Prostitute, and to be affected with a contagious Disease, induces or suffers her to resort to or be in that House, Room, or Place for the purpose of Prostitution, he shall be guilty of an Offence against this Act, and on summary Conviction thereof before Two Justices shall be liable to a Penalty not exceeding Twenty Pounds, or, at the Discretion of the Justices, to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour :

Provided that a Conviction under this Enactment shall not exempt the Offender from any penal or other Consequences to which he may be liable for keeping or being concerned in keeping a Bawdy House or Disorderly House, or for the Nuisance thereby occasioned.

42. (Act of 1866.) Any Action or Prosecution against any Person for anything done in pursuance or execution, or intended Execution, of this Act shall be laid and tried in the County where the Thing was done, and shall be commenced within Three Months after the Thing done, and not otherwise.

* * * * *

Though a Verdict is given for the Plaintiff, he shall not have Costs against the Defendant unless the Judge before whom the Trial is had certifies his Approbation of the Action.¹

FIRST SCHEDULE OF THE ACT OF 1869.

SUBJECTED TOWNS.

England.

Aldershot, Canterbury, Chatham, Colchester, Dover, Gravesend, Maidstone, Plymouth and Devonport, Portsmouth, Sheerness, Shorncliffe, Southampton, Winchester, Windsor, Woolwich.

Ireland.

The Curragh, Cork, Queenstown.

In this Act it is nowhere specified that women must be registered ; but it was necessary to find some method of control, and the police naturally took to themselves the power of registration. Captain Harris states this in his reports.

X.

Acts analogous to the Contagious Diseases Acts have been established in the Three Residencies of Calcutta, Bombay and Madras, and in Jamaica, Ceylon and Barbadoes.

At Hong-Kong in 1857, the English Governor established regulations for prostitution, applied solely to the Chinese women appropriated to the use of Europeans ; prohibiting clandestine houses, but allowing those that are open ; making

¹ Flagrant injustice : a prosecutrix who loses her cause must pay the costs ; if she gains her cause, the official who loses cannot be looked to for the costs unless the Judge orders otherwise.

slaves of "the women who give themselves up to prostitution, or dwell in houses where women reside or are kept for purposes of prostitution, according to a certificate from the Registrar-General."

9. In every brothel there must be hung up where it can be seen, a list containing in English and Chinese, the names and ages of all persons dwelling in the house.

The following articles fix the penalties for infraction of the Regulations:—

12. If it is proved before the magistrate or his deputy that a prostitute affected with venereal disease has communicated the infection to another person, the prostitute shall be punished by detention for three months, and the householder in whose house the prostitute dwelt, by a fine of two hundred dollars.

Prostitution is licensed, and this licence brought in 50,000 dollars in 1878.¹

17. All owners of furnished rooms must indicate the state of health of every sailor dwelling with him, by all means in his power. The cost of treatment in the hospital falls upon the sailor. If the owner has not pointed out the sailor's disease, or has made a false report concerning his health, he (the owner) must pay the cost of treatment.

18. If the sailor refuses to let himself be taken to the hospital, or wishes to go out before he is cured, or if he has neglected to warn his landlord that he has a venereal disease, he is punishable by a fine of 25 dollars, and a month's imprisonment.

In Malta, an ordinance of the 16th June, 1861, decided that any person who is notoriously a prostitute, must be subjected to three medical examinations a month. In case of refusal, she will be sentenced to three months' imprisonment. If she is affected with venereal disease, the judicial police court will order her to be put into hospital until she is cured.

Canada, the Mauritius, and Gibraltar, have been invited to organize prostitution. A similar law was introduced by the Legislative Council at the Cape of Good Hope in 1868; but the abuses that it gave rise to led to its abolition in 1872.

In 1876, Mr. Fawell proposed an analogous bill to the legislature of New South Wales.

XI.

In the United States, there is neither regulation nor legislation in prostitution, notwithstanding divers attempts made in the State of New York, at Chicago, at Cincinnati, and in the State of Pennsylvania. At Saint Louis, in the city charter, these words were introduced: "suppression or regulation of houses of ill-fame." This clause remained in force from 1870 to 1874, when it was repealed by a unanimous vote of the senate of the Missouri.²

¹ General Report, page 34.

² Report of a visit to the United States, by Henry J. Wilson and James F. Gledstone, delegates of the Federation. 1876.

At Boston there is no medical service ; but the laws of Massachusetts concerning offences against chastity, authorize the police to arrest "male and female night walkers." Houses of ill-fame are rigorously interdicted. Nevertheless they exist to such an extent that the police itself gives statistics of them.¹

In July, 1878, the Government of the United States passed an Act for all infectious or contagious diseases, comprising quarantine regulations. Taking it literally, this Act might be extended to venereal diseases ; but the surgeon-in-chief of the Hospital service was forbidden to make application of it to prostitution.

XII.

Egypt.—Until Mehemet Ali's time, public women formed a corporation under the authority of a sheikh. Ali decreed the abolition of prostitution ; but it exists still.

Out of 50,000 Europeans inhabiting Egypt, there would be 16,000 public women (Europeans).²

Japan.—Dr. Magot declares that prostitution is nowhere so well regulated as in Japan. At Yeddo it has allotted to it a special quarter called the Gankiro, a great quadrilateral surrounded by a palisade and ditch. A single door gives access to it. In 1872, there was a population of 20,000 persons, and the town itself only numbered 72,000 inhabitants. It is there that the finest houses are to be found. It was in one of them that the American commandant, Perry, signed the treaty which definitely opened the frontiers of Japan to foreigners. The other cities, Osaka, Niegata, Nagasaki, &c., possess similar quarters.

Regulations forbid clandestine prostitution outside these, and the woman committing it is prosecuted with so much the more animosity as she is looked upon as smuggling to the detriment of the revenue. According to a fixed scale she acquires her "fonda," a sort of licence engraved by a red hot iron on a little wooden board, which she must present at every requisition : it is her ticket. If she has not got it, she is scourged and imprisoned.³

¹ R. House of Lords, p. 157 ; letter from Boston Police Commissioner, 12th July, 1881.

² *Nicole, Ann. d'hyg. et de méd. légale, 2nd série, 1848, p. 209.*

³ *Ann. d'hyg. et de méd. légale, 1878.*

XIII.

To what persons do these regulations apply? Many people have not even taken the trouble to examine this question. The French regulations give no definition of prostitution. The Belgian regulations say:

"All girls or women who habitually give themselves up to prostitution are reputed public women."

Rotterdam.—"Every woman who habitually gives herself up to debauchery."

Berlin.—"All women who have wandered about the streets in the condition (*état*) of debauchery shall be registered, or denounced to the police as notoriously giving themselves up to prostitution."

Spain.—"All women who habitually live by the merchandise of their bodies must be registered."

All these definitions limit themselves to saying that a prostitute is one who is prostituted.

Colonel Vincent, in a project which he brought before the Committee of the House of Lords,¹ gives a definition which closely resembles that which I have given. (1st Chapter, Section II.).

"A common prostitute is a woman who submits her person to sexual relations, or is reasonably suspected to do so, for her own gain or that of others."

The English Acts, like the regulations of Berlin, and like this definition of Colonel Vincent, create a class of suspected women; and this suspicion goes a very long way. In the Inquiry of the Royal Commission, Inspector Annis² declared that he would register as a prostitute every woman who receives "men at her home, or place of abode, if she cohabits with several men." Superintendent Wakford, after having said at first³ that "a prostitute is a woman whom many proofs combine to show to be a prostitute," says, a little further on,⁴ that he would demand the registration "of a woman who gains part of her livelihood by honest work . . . if she commits an immoral act with a man," and that he would look upon "a woman who goes with more than one man, even if only occasionally, as being to some extent a prostitute." Superintendent Macdonald⁵ says: "The Act does not limit itself to the ordinary term 'pro-

¹ Report, &c., protection of poor girls, 1881; Answer, 656.

² Answers, 646-651.

³ Answers, 43-51.

⁴ Answers, 184-426.

⁵ Answers, 10-261 and 10-262.

stitute;' it makes use of the expression 'common prostitute.' The idea which I form of a common prostitute is that of a woman who gains her livelihood by prostituting her body for wages." And to the following question: "It would not be sufficient then, in your opinion that she received money occasionally or in particular cases for this use of her body, but that must constitute her habitual means of livelihood?" he answered, "Exactly so; I must reckon amongst the number of common prostitutes a woman who adds to her gains by means of prostitution. If she haunts the streets and solicits passers-by, if even she gains part of her subsistence by another occupation, I should certainly look upon her as a common prostitute. But if a woman is accustomed to meet a certain man in the High Street of Portsmouth, and to give him a rendezvous in a place which we know to be a brothel, this woman's act, were it repeated, is not sufficient to make of her a common prostitute. Something more than that is necessary, she must be common to all persons who will pay her." Inspector Smith, for his part,¹ "would not consider a woman a common prostitute, unless she made herself common to all," and would not demand the registration of an isolated prostitute who was frequented by several men at her own place of abode, unless she haunted "common brothels" or "accommodation houses," or solicited in the street, that is, in one word, "did precisely the same things which common prostitutes do."

Hence it results that we do not even know to what persons must be applied the terrible laws or regulations laid down against prostitution.

XIV.

According to Dr. Campana, they ought to apply to the 40,000 women, who, at a minimum, according to Dr. Bertillon, live in concubinage in Paris. From this elasticity of definition result the most fantastic estimates of the number of prostitutes. For Paris, M. Maxime du Camp estimates it at 120,000; M. Lecour, now at 60,000, now at 30,000.

In 1762, Rétif de la Bretonne, in his *Pornographe*, estimated the number of public women in Paris at 20,000; in 1789, it was calculated that there were 30,000 women living by prostitution, and 9 or 10,000 soliciting in the streets; in 1802,

¹ Answers, 14-277, 14-466.

they were estimated at 30,000 ; under the Restoration, at 15 or 20,000 ; after 1830, at 20,000. If these figures appeared to be at all correct, they would prove that prostitution had diminished to a considerable extent relatively to the population.

In England, and from the same causes, there exists the same uncertainty. M. Guerry, when making statistical inquiries in London, in 1834, inquired the number of prostitutes of the police employés. Some gave him the figure at 70,000, others at 50,000 ; others reduced it to 40,000. Mr. Mayne, one of the two directors of the police, collected information from the superintendents of the different quarters. It resulted from this inquiry that the figure ought to be lowered to 8 or 10,000. William Acton (1851) says that the Bishop of Oxford reckons that there are 80,000 prostitutes in England ; Mr. Colquhoun's deputy, 50,000 ; and Dr. Edgar estimates them at every twelfth woman.

These figures it is impossible to prove correct, for the excellent reason that prostitution is not a fixed and uniform thing, in spite of all the efforts of the police to give it this character.

XV.

Conclusion.—There is no rigorous and uniform definition of prostitution.

The facts, more or less vague, more or less established, which constitute prostitution are left to the appreciation of police agents.

Nearly everywhere the police acts in virtue of regulations and in defiance of the law (*en dehors de la loi*).

When a law exists its consequence is to give the police the greatest latitude of action.

It demands or requires the co-operation of private persons, by this means driving every one to a system of reciprocal espionage.

The object of the police is, under certain hypocritical forms, to transform clandestine into open prostitution. The former is looked upon as an offence or infraction of law ; the latter, as a regular trade.

It establishes this regular trade by means of registration, which is pretended to be voluntary, and of which the result is to pen up the person subjected thereto, in a special class, which has no common rights.

An effort is made to banish all registered women into toler-

ated houses. Every suspected woman is subjected to inspection beforehand; every registered woman to periodical inspection.

In certain countries the woman who is diseased is punished; she is everywhere subjected to detention in order that she may receive obligatory medical treatment.

Almost everywhere prostitution is considered as a means of public revenue.

The measures taken, whether from a pretended moral point of view, or from a hygienic one, apply entirely to women, and never to men.

The authors of the greater part of these regulations suppose that a man can only contract venereal or syphilitic diseases as a result of evil intention, or at least of culpable negligence on the part of the woman.

CHAPTER FIFTH.

THE SYSTEM IN OPERATION.

- I.—The *Personnel*—M. Lecour—M. Naudin—M. Lerouge—A Subterfuge—M. Ranc—Fusion of the Brigade of Morals and that of Safety—Security of Criminals—M. Macé—The *Agent des Mœurs*—New Demonstration of Final Causes—Not Justified—Types of Agents—Gentleness—Truth—False Witnesses—Security Threatened—Extenuating Circumstances—Rabasse's Gang—The Agent at Montpellier—Corruption—The Hong-Kong Informers—Instrument of Extortion—The Bois de Boulogne of Lille—Connivance—"We must have Numbers"—Male and Female Co-operators—Brothel-Keepers and Agents—Good Relations—The Brussels Burgomaster's Logic—The Procurers and the Police.
- II.—The Chase—The Woman *en Carte*—Always Lawful Seizure—A Speculation—An Accident—"Police Affair"—The Woman *de Maison*—The *Disparue*—The Unsubjected—"It is Legal!"—"Solicitation, impudent or otherwise"—M. Camescasse's Concession—Night-Work—*Bis Repetita placent*—Denunciations—Raids—Modesty and Impudence of the Police—The *Battue*—Gallant Style—Avowals—Police Courtesies—Raids on Furnished Lodgings—M. Gigot's Recommendation—Delicate Question.
- III.—The Station—The Grand Hotel—The Dépôt—Filth—Dungeons—"Not Reasonable!"
- IV.—Usurpation of Power—Despair—Humanity of the Police—Prudence—The Commission—M. Lecour's Susceptibility—M. Vergniaud—Police Pleasantry—Length of Detention.
- V.—The Unsubjected—Example—Official Registrations—Voluntary Registration—Avowals—M. Jeannel—Flourish of Trumpets for the Figures.
- VI.—Berlin—Complaisant People—The Camorra—The Suicide at Dover.
- VII.—Conclusion.

I

THE *Personnel*.—We have shown the organization of the system ; we will now look at it in operation.

In Paris, the chief of the 1st Division sets it in motion. This was, until 1878, M. Lecour, who made the great mistake of trying to construct its theory ; for his book furnished me

with some of the information by the help of which I forced him to send in his resignation.

He was a type. Son of an old prison warder, a matter in itself certainly not in the least dishonouring to him, he had climbed all official grades by force of supple tenacity, and he had retained from his original condition a desire for all that appeared above him, and brutal scorn for all that was below him. He had the pedantry of ignorance and the pride of office. Seated in his arm-chair behind his desk, with his great ill-furnished mouth open, and his lower lip hanging down, he talked of morality, public health, and administration, mixing these grand words all up together, and showing his importance by a slimy phraseology, which seemed to leave its track behind, like the foamy matter left in the track of slugs. He was not at bottom a bad man, but he was severe because he thought himself infallible. A defender of religion, churchwarden of Belleville, attached to all good principles, and attributing all evils to atheists and republicans, he thought he was doing God service by scrupulously seeing after the organization of debauchery. You can bear no ill-will to men who profess such contradictory beliefs. They are cases in pathology; so to speak, they contain lacunæ.

By hereditary influences and first lessons, he came to the belief that certain men were born for the purpose of sending the others to prison. If he had had to symbolize society, he would have represented her as pushing in a bolt, with a bunch of keys in her hand. With such leanings he enjoyed his office like a virtuoso. During the sitting of a committee it was said to him :

“Then you allow yourself to make yearly 10,000 arrests and detentions which are outside all legal forms?”

——“15,000!” answered he, taking a pride in the largeness of the figure.

M. Naudin, his successor, does not perhaps believe much in his mission, but he believes in his place, he holds to it, and provided that is left to him, he will, if necessary, confess that the *police des mœurs* is an execrable thing. Enlightened by his predecessor's example, he will take care not to write a line about his work. In his timidity he never consents to give in full the information which the Town Council asks of him.

M. Coué was chief of the 2nd bureau of the 1st division. This employé was intrusted with the duties of registering houses, registering women, sending them to Saint Lazare, and setting

them at liberty, and of ordering the search after those who disappeared and after the unsubjected. He was replaced by M. Hardelay. Both of them insignificant.

The *officier de paix* intrusted with the duties of action, until 1881, was M. Lerouge. An article in *Figaro*, written by one friendly to him, and for the purpose of assuaging the bitterness of his dismissal, boasted of his good looks. He had the commonplace good looks of a big dark man, who has great moustaches and who brings his black locks to the front by means of much pomatum. Doubtless the influence of his surroundings had given him a singular aspect, of which the effect was such that when you found yourself face to face with him, you were ready to say to yourself:

"What! that the *officier de paix* at the head of the *police des mœurs*! Faith, I should have thought quite the contrary."

He was dismissed on the 9th March, 1881, at the same time as M. Remise, the principal inspector. They were the scapegoats given up to public opinion by M. Andrieux. Public opinion took no notice of this sacrifice, which was simply intended to disguise a manœuvre of M. Andrieux.

The day after the meeting of the Municipal Council of the 28th December, 1880, which ordered the suppression of the morals police on the 1st January, 1882, M. Ranc published an article in which he treated the question with the scorn of a man who looks at these things from above, and who in his quality of boulevard loungeur, is not able to attach any importance to such miserable questions as the legality of the regulations of the old régime, and the respect due to the liberty of women.

He, in a comminatory tone, declared that the *service des mœurs* was only a question of scavenging, and that the name of "morals police," which is an unpleasant one, must be altered, its proceedings being continued. This way of settling the question was on a level with the administrative conceptions of M. Andrieux. He hastened to adopt it. By the decree of the 9th March, 1881, in which, with gentle irony he countersigned the report of the meeting of the Municipal Council on the 28th December, 1880, he suppressed the *brigade des mœurs*.

For the rest, the 5th Article gave to any who could read, the exact signification of this decree: "The duties of the *service des mœurs* are intrusted to the chiefs, principal inspectors, brigadiers, sub-brigadiers, and inspectors of the *service de la sûreté*."

The name was suppressed: the thing remained in an aggravated form. The existing eighty *agents des mœurs* simply an-

nexed the two hundred and fifty *agents de la sûreté*, whose title they took ; total, three hundred and twenty *agents des mœurs*.

The Journals friendly to M. Andrieux and M. Macé (who became the new directors of this service), celebrated this great reform. *La Loi* felicitated the prefect of police upon this amiable mystification.

"The *service des mœurs* is to be nominally suppressed ; but they will continue to arrest unsubjected and diseased women. These arrests will no longer be made by the *agents des mœurs*, but by the *agents de la sûreté*.

"The staff of the suppressed service will, in fact, be absorbed into M. Macé's service. In sum, M. Andrieux, who knows his Paris, removes an unpleasant libel, and preserves under another name the thing which was unpleasantly libelled."

Nothing can be more ingenious than this fusion for the security of criminals. The *agents de la sûreté* have to arrest an assassin ; instead of that, they arrest a prostitute. Walder escapes all their inquiries. As compensation, they institute a raid. A brigadier became celebrated for having discovered Moyaux in Belgium, at the time that a wine merchant arrested him in Paris. He took his revenge by arresting a Belgian, Mme. Eyben.

But this increase of duties gave M. Macé opportunity for all the reporters about him to repeat continually : "Clever M. Macé draws up this. He will do this and that." *La Patrie* announced M. Macé's plans in pompous terms : "Paris will be divided into ten zones. The agents will proceed two and two : an *agent de sûreté*, with an *agent des mœurs*. With these two agents, *fileurs* will be associated, and the *gardiens de la paix* will receive new instructions. The police will operate on a large scale ; it will clear the streets of the capital, of pimps and prostitutes."

I have been acquainted with M. Macé. He had me arrested on the 9th August, 1870. I have no ill-will to him for it, though I was a little vexed by the circumstance. I thought that the moment for upsetting the empire was come, and I was endeavouring to communicate this opinion aloud to the soldiers who were guarding the *corps législatif*. In the evening, finding that the empire was crumbling away, M. Macé came to release me, and on our way home, like a prudent man who looks to the future, he excused himself, told me that he was a diligent reader of the *Lanterne*, and asked for my protection. A little restless, short-sighted man, so given to prattling as to have lost

all power of reservation, and much too occupied with himself to be able to consider other people, he has always seemed to me to possess qualities exactly opposite to those necessary for a good police official. That, doubtless, is the chief reason why he has become *chef de la sûreté*, and of the *police des mœurs*.

The *agents des mœurs* are not men who are placed above humanity. A young man leaves the military service. He has no trade, or has forgotten that which he had begun to learn. He loves the uniform, thinks of a pension, and leaves his work with all its difficulties, struggles, and relaxations. He asks for a place on the police, which is given to him. He is placed in the *service des mœurs*, as he might have been, perchance, placed in the *service de la sûreté*. He has, up to then, only learned his duties in establishments which are in the neighbourhood of barracks. Instructions are given to him derived from the decree of 1843, amended by M. Gigot in 1878. When M. Gigot made this amendment, the regulations of 1843 were no longer even mentioned. The new agent received verbal lessons from his predecessors, who told him that "this is our custom."

They lead him to the chase, and teach him how to bring down the game and collect it. At this trade he would get 97½ francs a month (£4. 1s. 3d.) before the increase of salary voted by the *conseil municipal* in 1878 for all inspectors and *gardiens de la paix*. Now he would receive 120 francs (£5) barring stoppages. With this sum they put into his hand powers greater than those of any magistrate whatever. He is thrown up to his neck into temptation to be venal. For having said that in such conditions an *agent des mœurs* ran risk of dirtying his fingers, the tribunal of correctional police condemned me in November, 1879, to six months' imprisonment and a fine for my partner and myself, which, with costs, amounted to nearly 6,000 francs (£240). The Court confirmed this. During the six months which I passed at Saint Pélégie, when I had plenty of time to admire this decision, I discovered its real bearing. It has a philosophical one.

In this age of incredulity, the magistrates, the natural guardians of sound doctrine, wished to demonstrate at my expense the truth of a final cause.

In fact, in order that a man who has just left the army with nothing about him but the bare necessities of life, who is boiling over with passions ill satisfied in his garrison life, abounding in multiple desires, dealing with persons who are never believed when they make any protest, and so accustomed

to be at the mercy of the police that their only idea is to get on good terms with its agents ; who is mixed up with all kinds of secrets and details which arouse in the calmest individual one cerebral excitement productive of another ; for this man to remain pure, honest, floundering about in the sewer without soiling himself, having neither any idea of abusing his power or justifying such abuse by a lie, he must have been made for the purpose, like the nose that was made for the purpose of carrying spectacles.

Unhappily for this high and profound philosophical theory in favour of the men who are intrusted with the duty of making society moral, I find in the report by the prefecture of police upon the budget of 1881 the following passage :

“Two agents having lately allowed a prisoner to escape, M. Caubet announced that they had been sent in disgrace to the *service des mœurs*, thereby declaring it to be made up of the refuse members of the force. M. Benjamin Raspail, a deputy, got a commissary of police dismissed from a commune in the *Département de la Seine*, because he had signalized himself there by real acts of satyriasis. Some time after he inquires what has become of him, and he learns that he had been placed in the *service des mœurs*, in order no doubt that he might more freely give way to his inclinations.” (Letter of the 10th April, 1880.)

A scene which was enacted quite recently, in the *Place de la Bourse*, at four o'clock in the afternoon, *in full daylight*, and in the heart of Paris, shows what these agents are capable of, and to what excesses they may proceed.

On the 2nd September, 1882, five of these men, Dupuy, Falret, Fossé, Stéphani, and Bruot, all of them drunk, had a discussion with the woman who lets chairs on hire in the precincts of the Bourse, and seized her by the arm ; a matter of custom. A woman who was present interposed. An agent attacked her and took her by the throat. A crowd collected. One of the agents drew a revolver and threatened the people with it. They seized one of the agents and took him to the station in the *Rue de la Banque*. The police commissary kept them, but sent the witnesses away. He wished, according to the noble custom of all administrations, “to hush the matter up.” Whilst this was happening, his three honourable colleagues arrested M. Gostalle, took him to the police station, loading him with reproach and insult. They then let him go, telling him in reassuring tones that the affair perhaps would not be followed up !

Some time after M. Gostalle passed by the *Place Saint-Michel*. He found there the four agents, clad in blouse and cap. They surrounded and threatened him. The Prefecture of Police was near; he took the heroic step of seeking refuge there. Needless to say that the agents did not follow him.

Now, some time previous to this, in the matter of Mlle. Bernage, Rabasse, *brigadier-chef* of the *police des mœurs*, had declared on his oath that the *agents des mœurs* never wore either blouse or cap.

We have mentioned this fact because it gives a characteristic *résumé* of the psychological condition of the greater part of the *agents des mœurs*: the belief that all is permitted to them, the brutality which inspires them, the conviction that they are at war with the remainder of their fellow creatures, that they have all power over all women and must look upon all men as their enemies, the spirit of vengeance, and lastly, as a criterion of their morality, the drunkenness which they exhibit at four o'clock in the afternoon, of which drunkenness it is not difficult to foresee the *crescendo* in the evening, the time when they do their work.

Here is another fact which occurred since the fusion of the brigade *des mœurs* and the brigade *de sûreté*:

On the 31st March, a young man, M. Désiré Royé, twenty-two years old, little and insignificant looking—he had been refused as a conscript for lowness of stature—came out of No. 70, *Rue Alexandre-Dumas*, the house of his cousin, M. Menon. He spoke with a young girl for a few seconds on the *Boulevard Voltaire*. As he was just leaving her, four agents in civilian clothes arrested him and the girl. They confined his arms, treating him as they might a procurer, and showering on his head all the ignominious phrases in which their vocabulary is so rich. They dragged him from the *Cirque d'Hiver* to the police station, 135 *Boulevard Richard-Lenoir*, kicking him and striking him with their fists. Merry men, these agents! At the station they humorously commented on his smallness of stature.

"Come, grenadier, what do you do?"

And they stuck him up on a pillar.

"I am a worker in zinc, at M. Poupard's, 23, *Rue du Cherche-Midi*."

"Show us your certificate!"

By a mere chance he had it upon him.

"Why have you not been a soldier?"

"I am not tall enough."

They amused themselves with measuring him against themselves. These police are so funny!

Then they let him go. The poor fellow had all the trouble in the world to drag himself along to his home, 9 *Rue Chapon*. The next day he wrote to his cousin, M. Menon; the latter called on him and had him examined by a doctor, who certainly is not unfriendly to the police, Dr. Bergeron, that is to say.

His arms were covered with bruises. He had bruises all down the spine of his back, one on his left temple, another above his right eye. Some of these bruises measured 7 or 8 centimeters ($2\frac{3}{4}$ to $3\frac{1}{4}$ inch) across. He was confined to his bed for several days.

A most extraordinary thing is that he was not prosecuted for rebellion.

The veracity of these agents is on a par with their gentleness, an example of which occurred last June:

In March, the eighth chamber of the tribunal of correctional police for the Seine, condemned to three months' imprisonment a M. Ledesert, whom three *agents des mœurs* accused of having publicly committed immoral acts. He denied this, affirming that his state of health made such acts impossible for him, and appealed. On the 7th April, the Court requested Dr. Brouardel to examine him, and to say whether, looking from a medical and physiological standpoint, and having regard to the state of health in which the accused might be on the 9th January, 1881, the pretended lascivious attitudes attributed to Ledesert, the condition in which he must have been found at four different times between half-past four and a quarter-past five in the afternoon, and the allurements which he must have made use of, were reconcilable with the gastro-intestinal disorder from which he was suffering, and the acute abdominal pains, and diarrhœa which would be its consequences, &c.

The conclusions of Dr. Brouardel's report were in direct opposition to the statements made by the agents.

The Court ordered Dr. Brouardel and the three agents to appear before them to be examined as to the acts imputed to Ledesert.

The agents boldly repeated their declaration. Dr. Brouardel stuck to his conclusions. The Court, for this once, gave more credit to the doctor's than to the agents' declarations.

But if M. Ledesert had not been suffering from a well-known infirmity, and if he had not had a doctor independent enough to put himself in opposition to these gentlemen of the police,

there would have been another victim of judicial blundering to add to the list.

Here, again, in this judicial contest, the accused could have an advocate, and could bring forward an expert on his side ; but when a woman is in the case, where are her safeguards ? The agent's report is trusted to, and all is said.

M. Albert Millaud, who "believes in the necessity for the *police des mœurs*," admits that "the agents, in fulfilling their duties, allow themselves to proceed to acts and brutalities which their chiefs ought to soften down, but not punish !"¹

The most fanatical amongst the defenders of the *police des mœurs* quietly say : "It is evident that the Prefect of Police cannot recruit his service from Bachelors of Arts or half-pay officers."² It is for these reasons, naturally, that it is necessary to give these men the power not only of arresting whom they please, but, a more serious matter, of dishonouring whom they will.

In 1783, a *sous-brigade* was established for the purpose of looking after Sodomites. It is directed by Rabasse ; probably it was wished to recompense him thus for his singular dismissal in the *procès* Bazaine. At the Prefecture, apparently, it was supposed that for such duties above all it was necessary to have some one who knew how to explain himself obscurely. This feeling one can understand with respect to acts which in general occur in the night, and are tried within closed doors, only such a condition of mind is a very serious thing for people who are thinking no harm.

At Montpellier, the Town Council recalled an agent named B——, who was making a large income out of his official duties, by coaxing some, persecuting others, and living on good terms with certain tolerated houses. He had gone so far as to prosecute some women who had only a single lover, whilst he left others absolutely free. "According to the testimony of the women," said the report, "he takes upon himself to strike their names off the register, or to put them *en carte*, in spite of the *maire* and the central commissary. He himself says that he is above the power of the *Commune*, of *M. le Maire*, and of the central commissary." According to a letter addressed to M. Pappas, the *adjoint*, "two young girls were accosted by this agent as they were leaving the hospital, and diverted from the road they were taking. Since then they have not been heard of. It is customary with him to act thus." He used to deliver nursemaids

¹ *Figaro*, 5th October, 1878.

² *Figaro*, 5th October, 1878.

or servant girls to the heads of the tolerated houses in the district. At the same time he acted as procurer for individuals.

In a great provincial town where the morals police have over and over again shown themselves to be brutal, a traveller said to a woman who was soliciting :

“ You are not afraid of the police ! ”

“ Oh, I should keep out of their way if I were without money. But as it is, if I am surprised by an inspector, I grease his palm. I can get out of his claws for 3 francs ” (2s. 6d.)

As to the chastity of the *agents des mœurs*, I ask for nothing better than to believe in it; but then their virtue is extraordinary, and by much surpasses that of the most illustrious ascetics. Unfortunately, we sometimes see certain of their chiefs mixed up in affairs of a sufficiently ambiguous nature. I will only mention here the case of M. Etienne, commissary of police at Marseilles, which case was sworn to in a court of justice in 1874.¹

At Hong-Kong, the general body of police is not employed in seeking out the brothels, and the Chinese women who are devoted to the service of Europeans. The special informers are not only recompensed for success in placing fresh China-women in the register, but they are reimbursed the cost of wine and suppers which have been used in order to seduce them. Hung-A-Wai (and the translator suggests that he ought to be “ hung away ”) was paid for the price of his sexual relations with a girl of fifteen. Soung-A-Wai lay with Tai Yan against her will, and then got her fined £100 sterling. To pay this, she was obliged to sell her child. The agents from time to time violate virgins, and then make them pass for prostitutes.²

Whether voluntarily so or not, the morals police is an instrument for extortion. It frequently, by means of some secret, the importance of which is exaggerated, gets a hold on men of consideration, or a number of families. It was said at the Prefecture of Police : “ Oh, there is no danger of Lecour and Lerouge ever being dismissed ! they know too much ! ” This new institution also allows rascals to make use of, to cultivate, the terror in which it is held. At Lille, for three years, there was a gang of men who used to seize upon lovers who were walking in the *Bois de Boulogne*, and by passing themselves off for *agents des mœurs*, used to violate the woman and rob the

¹ *Compto rendu* of the suit, *Rappel*, 27th October, 1874.

² Lord Kimberley's *Defence of the Government Brothel System*. J. Stansfeld, 1881.

man. So deep was the fear which they inspired that, according to their own account, more than 500 women fell into their clutches, and had to submit to their outrages. They would have been able to have gone on indefinitely if they had not forgotten themselves so far as to kill a workman. The amusements of these ingenious persons were of such a nature that they were condemned—Cuvelier, to 20 years' hard labour; Merchez, to 8 years' hard labour; Basset, to 8 years' imprisonment; Leleu, to 8 years' hard labour; Connard, to 5 years' imprisonment; Mullier, to 5 years' hard labour, &c.¹

At the Court of Assize of the Seine in November, 1880, the Houillon gang was brought to trial for similar proceedings in the *Bois de Boulogne* of Paris. This gang had in addition belonging to it some women who acted as decoys. We are perpetually hearing of the arrest and condemnation of some rascal who, as a means towards the seduction of a woman, has usurped the title of *agent des mœurs*. Sodomites frequently pass themselves off as *agents des mœurs*; and, if we may judge from the following fact, have sometimes a right to do so:

"I was authorized," says Canler,² "to take as secret agent one of these *antiphysiques* (rebellers against nature), who, at 125 francs (£5 a month) salary, was commissioned to keep me *au courant* of all that took place in this world of filthiness."

Many of the agents would go and get up a flirtation somewhere, and would scarcely stir unless they were quickened. M. Lerouge was accustomed to repeat:

"We must have numbers!"

If he did not get his "numbers," he would exclaim:

"The number of the unsubjected increases!"

Then he "orders his agents to the *Cabinet vert*, where he blackguards them." There were no gratuities at the month's end, but bad marks. It was necessary to go hunting again.

In this hunting, the *agents des mœurs* had as principal coadjutors, women who were already *en carte*.³ These latter have profound hatred for "the dirty women who *font la noce* without taking out the patent." This is very natural. Why should they not submit their colleagues to the obligations to which they are obliged to submit? They only seek to lower these competitors of theirs, who are free, to their own level. If they are good indicators, the agents repay them by a little liberty,

¹ *Gazette des Tribunaux*, 17-18 *Fevrier*, 1873.

² P. 272.

³ Trébuchet and Poirat-Duval in *Parent-Duchâtelet*, t. I, p. 144.

or even protection. The mistresses of tolerated houses also detest these unsubjected women, as they take away their clients. The more of them that they put into the hands of the police, the easier is it to recruit their own staff. M. Béraud stated that "the prefecture could have no inspectors more clear-sighted, more alert, and possessing better information."¹ He advised that they should be more and more largely made use of. The advice was taken, for MM. Poirat-Duval and Trébuchet, in 1857, congratulated the *officier de paix*, to whom the active *service* was committed, "for having been able to gain the confidence of the women and mistresses *en maison* whom he has made useful auxiliaries to the administration."²

Hence follow relations as agreeable as profitable for both parties.

M. Dutasta, ex-chief of the *police de sûreté*, said, in 1855:

"This surveillance is a source of the gravest abuses. Some of the officials do not scruple to undertake the interests of the house mistresses against those of the women, and to send women direct to mistresses of other establishments whence advances have been made to them. Sometimes caprice and a spirit of whim seem to have inspired certain measures. . . . After what we have learnt here of the arbitrary power made use of in certain places toward these unfortunates, these facts and many others ought not to surprise us."³

Dr. Jeannel, a fanatical advocate of the morals police, describes his agents as "creatures who rarely offer the desirable conditions of intelligence and morality." He speaks of their "brutalities," and their "collusions." He says that "they act as brokers, point out to debauchees the dwellings of certain women, and make use of their official position for procuration of the most dangerous kind."⁴

M. Hemeleers, in his speech as advocate for M. Boland, editor of the *National* of Brussels, said:

"The officials of the police are, as a rule, poor. They find themselves all at once the superiors and masters of the householders; the latter are generally rich people of the industrial class; they can procure for the police, fortune and all the goods of earth; they can give them the Paradise which Mahomet promises to the faithful. The police must inevitably succumb, and as a matter of fact, has so succumbed."⁵

¹ *Memoires*, t. I., p. 187.

² Note. *Parent-Duchâtelet*, t. II., p. 230.

³ *Compto rendu des travaux de la police de Bordeaux*, quoted in 3rd ed. P. D. t. II., p. 402.

⁴ P. 317.

⁵ *Trib. de Bruxelles*, audience du 1er Mars, 1881.

Mme. Van Humbeek, styled Malvina, a great *tenancière* of Brussels, who died in October, 1879, left her property by will to M. Lemoine, commissary of police, second in rank to M. Schröder, the chief of the morals police.

The report of the judicial police stated that on the 5th September, 1874, the man Vandenbroeck, of 42 *Rue aux Fleurs*, openly boasted that he was authorized by the police to put women into houses of ill-fame. On the 18th October, 1874, an agent *de la sûreté* sent to his chiefs the following note : "Kribber, 84 *Rue Grétry*, escaped from Brussels, is now at Liège. He was found guilty at Cologne, in default of appearing, for seduction of girls under age ; he only owed his escape to the warning of a police agent who gave him notice beforehand."

When Mr. Dyer went to Brussels to make an inquiry into the condition of English women detained in tolerated houses, M. Schröder said to him, "You are perhaps the agent of some other house. You perhaps have the idea of making a dupe of the householder, and of selling the girl again elsewhere."

Mr. Dyer pursued his inquiry at his own risk and peril; notwithstanding the authorization given to householders to conduct him to the door with blows of a stick, if he annoyed them. He published his results. M. Lenaers, commissary-in-chief of the Brussels police, in a letter to the *Standard* (17th January, 1880) immediately denied the facts alleged, which facts some months afterwards were allowed to be correct by the tribunal of correctional police.¹

The Communal Council, having been forced to open an inquiry for form's sake, M. Henri Boland, the Director of the *National*, made a deposition which was very serious for MM. Lenaers and Schröder : he accused the former, the commissary-in-chief of the Brussels police, with carrying on, in his son's name, a trade in wine and liqueurs with tolerated houses, with supplying their furniture, and a musical instrument, called an orchestration. MM. Lenaers and Schröder commenced an action for defamation of character against M. Boland. I was at the correctional tribunal, on Shrove Tuesday (*mardi "gras"*) for the proceedings on which day, chance or a mischievous usher had brought up this suit, so rich ("*grasse*") for fools, in reality so terribly painful. I saw a gentleman with a small moustache, a pomatumed dandy, with a bad look about him. I was not deceived in him : it is the fate of police agents who turn their

¹ See 1st Part, Chapter Fifth.

attention to "morals" to resemble the subjects of their administration. When M. Schröder left the tribunal, and was at some distance in the corridor, he turned, and using his opera-glass, made a threatening gesture to the group of which I was one, and which contained M. de Linge, M. Boland's advocate. He (M. Schröder) went away triumphantly with M. Lenaers; the latter, more reserved in his action, clearly felt that this lawsuit would be of no service to them. Some weeks after, in fact, five of the witnesses whom he had brought up to prove that he was no furnisher of tolerated houses, were prosecuted in their turn, and on their being found guilty of bearing false witness were included MM. Lenaers and Schröder, who retreated into private life to join burgomaster Vanderstraeten.

For collusion did not stop with the police. The pleadings proved to us that the burgomaster had sold his paternal mansion to brothel keepers, after having carried out the special measures necessitated by this kind of industry, and still to a certain extent remained interested in its success. People raised an outcry against him and he sent in his resignation, saying to himself, "I have had bad luck. What do people want of me? Many others in my place have done as much. Since the regulation system is founded on the existence of tolerated houses, why should they reproach me for having sold my paternal dwelling for this purpose? I was strictly logical!"

He was right fundamentally, but the communal college wanted to give a lesson in morals at his expense. There must always be scape-goats. The burgesses withdrew the licence from his house, so that they ruined him. He was not only obliged to send in his resignation as burgomaster, but also as communal councillor; he was forced even to leave his country; but I hear his protest:

"My ungrateful country! why do you dismiss me whilst you still retain the system, and still retain MM. Lenaers and Schröder in their post? If they were right in doing what they did, I was not doing wrong. Why, then, this outcry against me? If they were wrong, why then does the burgess council give authorization to tolerated houses? Why does the communal council keep up the regulations concerning the morals police?"

At the time that affairs in Brussels were going on thus, a woman named Artaud was found guilty at Marseilles for inciting girls under age to a dissolute life, and it was discovered that the greatest ornament of her fine company was M. Quintard, an inspector of morals, who was accompanied by a deputy-mayor.

Side by side with the householder, who exists at Lyons, Marseilles, Brussels, and Paris, where nevertheless the house is not in the man's name, but in that of his wife, with authorization on her part, if he is lawfully married, the morals police has also given birth to another type of individual unknown in London—the procurer. He has divers functions.

He keeps a look-out for the woman, and warns her by signals when he sees an *agent des mœurs*.¹

From time to time, if opportunity favours him, he defends her now against the *agents des mœurs*, now against refractory clients.

Then sometimes he has intimate relations at once with thieves and the police. The two following passages from the *Mémoires de Canler* will enlighten us as to his principal function, and show us how the morals police has begotten and developed him.

“Another procurer had a sort of office as business agent. He sold informations to his colleagues. One of these latter had his *marmite* (porridge-pot) at Saint-Lazare. He came to this office and bought an information, which he took to the prefecture of police, where, in exchange, they gave his *marmite* her freedom. A girl is condemned to six months in Saint-Lazare ; the procurer comes to the office. ‘Have you a good information? Yes, I have the address of two famous thieves whom the police cannot find.’

“‘How much?’

“‘Five hundred francs (£20).’

“‘That is too dear ; I cannot give it.’

“They argue ; the price is lowered to three hundred francs (£12), and the procurer takes the address to the police in exchange for the girl's liberty.

“I knew a procurer named Coutelier, the same who, according to Lacenaire's declaration, had let on hire to him a room in the *Rue de Sartine* for the purpose of assassinating there a banker's clerk. This Coutelier always had in several quarters of the city five or six *marmites*, who used to pay him, every evening when he went his rounds, one or two five-franc pieces each. This man had a great reputation amongst the women, and was much sought after by them, because he never let one of his clients remain more than one or two days at Saint-Lazare.”²

And how was this ? He used to reveal things to the police, and in exchange for his revelations, they gave the girl her freedom !

¹ Parent-Duchâtelet, t. I., p. 156.

² P. 194.

"Another procurer, named B——, had added to his infamous trade that of recruiting young girls and expediting them into tolerated houses, under pretence of finding them a situation, a position, or honest means of livelihood. The mistresses of these ignoble establishments lodged these poor and innocent creatures, and kept them prisoners until the time when, by means of allurements, bad example, and sometimes outrages of all kinds, they consented to give themselves up to prostitution. This shameful traffic produced for its author a great income."¹

In Paris we have seen the police assist the bullies against the students.² In Bordeaux we have seen the procurers in their turn assist the police in a brawl.

In May, 1878, a woman named Caroline Maurice was found murdered. In her house were found scraps of letters from her lover. In some of these he demanded money; in others, he denounced her as a prostitute who was unsubjected and diseased.

M. Lecour said, "We must tolerate an evil when we cannot suppress it without creating a greater one." This is an avowal of the complicity of the police with the procurers.

Of such materials is composed the staff to which is intrusted, in the name of public morality, the application of the organization of prostitution.

II.

These agents go hunting by twos and threes, so that they may keep watch over each other.

"We must have numbers!"

Then they find a girl *en carte*. She "keeps her watch" openly, making solicitations aloud, and addressing each passer-by with proposals in which she enumerates every aphrodisiac detail which may entice him, on her own pavement, at the regulation hour, and side by side with the *gardien de la paix*. At times she devotes a little conversation to the latter. The *service des mœurs* does not matter to him. She tells him her troubles, and he takes interest in her successes and reverses. Her success makes him cogitate. This woman ought only to remain out from 7 to 11 o'clock. She cannot transact her business in so short a space of time, so she never makes up her mind to go in. The *agents des mœurs* pass by at a quarter-

¹ P. 296.

² See the *Lanterne*, 12th October, 1881.

past eleven, and if they have not their sufficient number, they "gather" her. She is lawful seizure.

The unfortunate sometimes resists and cries out. Her protest is of no importance. The agent's report is an infallible document. He will "*corser*"¹ the report if she resists him. She has thus only one course to follow: to allow herself to be taken. The older ones resign themselves to it, having had experience.

A glance at the regulations is sufficient to show that a girl *en carte* is always liable to arrest. If she goes out at nine in the morning to do her marketing, she breaks rules in two ways. She is found in the public streets out of the regulation hours, and is found elsewhere than at the station which is assigned to her. If an agent meets her, he can arrest her.

"Nevertheless she must eat," said one of them to me.

She is at her window! She is arrested! An agent goes up to her room and finds her with one of her female friends. He arrests both. Two women have no business to be together. There is no need for so many reasons. The agent goes to her room and arrests her; that is enough.

If the woman objects, the police answer:

"Your abode is not your home, but the prefecture of police."

The police "authorize a woman to lodge in an hotel," if it suits them. If it does not suit them, they arrest her. The hotel-keeper, who is in favour with the police, and who finds that his lodger does not pay him enough, denounces her to the agent of the quartier, who "packs her off."

Some women are no sooner out of Saint-Lazare than they are taken back again. Some of them have been arrested more than a hundred times.

In 1877, the agent, Gros, found a woman about midnight near the *Place de la Sorbonne*. He arrested her. She begged him to let her go, telling him that she had a little child who was ill, and that she came out to get some medicine for it. The agent said:

"None of your lies."

He took her to the station. The child died during the night. The newspapers heard of it, and it was talked about; but the 16th May came. The woman died mad in the Salpêtrière.

In one word, the woman *en carte* is the chattel of the police. If she becomes rich and powerful, then she may be quiet, may be exempt from inspection, and may live an independent life.

¹ That is, exaggerate, make it as bad for her as possible.

There are girls *en carte* who drive their carriage, walk on the Boulevards, go to the Bois, and take their seat conspicuously in the reserved places during the hearing of a *cause célèbre*; but those to whom "an inspector has ill-will," are never certain, every time that they step out of doors, whether they may not sleep at Saint-Lazare.

The girl *en carte*, being so followed up, has only one resource, to become a girl *en maison* (in a tolerated house). Then, if she has no longer occasion to fear the police-agent, she is under the absolute power of the mistress of the house. She does not run any risk of being arrested at any minute, because she is perpetually a prisoner. The *agent des mœurs* certainly makes inspection of the house, but he looks upon himself as a very small individual beside the mistress of the house, who is a substantial person, does a great trade, and is a lady with a loud voice, and who, representing, as she sometimes does, considerable interests, treats directly with the *officier de paix*, the *chef de bureau*, and the *chef de division*. This disturbs the *amour propre* of some of the agents, but they swallow their humiliation.

The girl *en maison* has scarcely any dealings with the *agent des mœurs*, except when she takes into her head the whim of leaving the house where she has been kept without paying her debts. Then the lady runs to the police. "I want this woman, this thief!" The *agents des mœurs* go a-hunting in search of these "*disparues*."

"It is incredible," said an agent to me with much simplicity, "how the women *en carte* and those *en maison* try to keep out of the way of the police!"

The chief occupation of the agents is to try and catch them.

The girl who has disappeared is the game that gives the most sport; the unsubjected girl is the more delicate game. The police call every woman who is not registered (without exception), "unsubjected." You, my lady reader, are unsubjected. Sir, your respected mamma is "unsubjected" in the eyes of the police.

The agents go out by threes. They see a woman of the working-class. They require numbers!

They follow her, taking counsel of each other.

"Is she good for it?"

"I think so."

"I think not."

"Let us arrest her," says the *sous-brigadier*; "it is lawful!"

So saying, they rush upon her, grasping her so as to bruise arms and shoulders. So much the worse for her toilette, if their seizing her tears her dress and crushes her bonnet. She may cry out, she may protest—a few raps on the head, accompanied by plenty of insults uttered in a special slang of their own, will soon bring her to reason.

And yet to arrest an “*insoumise*,” who addicts herself to “solicitation, impudent or not,” according to M. Lecour’s formula,¹ is not such a simple proceeding as it might be thought.

M. Lecour, whose book is inexhaustible, has very well shown how women, whether for pleasure or for mischief, tended to make the task of the *agents des mœurs* more and more difficult.

“All is not done when you have taken into account these delicate shades *frequently impossible to detect*, and these necessities for extreme circumspection; you still have to guard against errors rendered possible by *lightness of conduct*, when it is accompanied with the eccentricities of behaviour and of the toilette so common now-a-days.”²

So, for fear of being deceived by “eccentricity of the toilette,” the agents follow this rule:

On the Boulevards, at the *Champs-Élysées*, for instance, is a girl who is openly soliciting men. But she is well and handsomely dressed. Is it known to whom she belongs? Perhaps to well-to-do people. They come to claim her next day. The police restore her, and the agent gets a lecture.

A poor girl, on the contrary, who is badly dressed, and lives in the poorer quarters of the city, will not be claimed. Even if she is a minor, if she has relations, or if a mistake has been made as to her mode of life, the relations will perhaps not claim her. If they come, the police will use intimidation. All is said. So that the agents have one rule: arrest poor girls, do not arrest those who seem to be rich.

With the latter they do not know what may come of it; with the former, they were formerly certain that there would be no consequences to follow. Now, thanks to the cursed newspapers in general, and to the *Lanterne* in particular, they are no longer certain of anything.

Women have become so bold! Mlle. Ligeron, who was arrested in 1877, consented to have her virginity proved by doctors other than those of the dispensary. It was the same with Mlles. Lucie and Marie C——, who betook themselves

¹ *La Prost.* p. 76.

² P. 149.

straightway to Dr. Bergeron. Since that time, girls have been claimed in hundreds of cases. In 1876, M. Lecour carelessly answered the reference to the arrest of the wife of a banker at Dijon with—"Does a husband let his wife wait for him on the pavement?"

There was also Mlle. Domergue, a girl of fifteen, who was arrested with a female friend; the latter was released almost immediately, the former was only given up to her father after 48 hours had elapsed!¹

With respect to the affair of Mlle. Rousseil, the *Ordre* undertook to defend the police in the following terms:

"I am acquainted with virtuous women who, when victims of the like accidents, have in nowise boasted of it. I knew a young and charming woman who was one day brutally seized by a police agent and taken to the station, where she passed the night, mad with shame, and in the company of drunken prostitutes. It was in vain that she gave her name and address. She was not listened to. She was only set free when her husband, who had been summoned, came to claim her. Do you think that she wrote to the papers next day saying, 'I have been taken up as a prostitute: I demand justice?' She took good care not to do so."²

In my turn I can say that, from the position I attained by having undertaken this campaign, I have been the recipient of many a confidence, which, characteristically for the most part, did not come from the victims themselves. When the inquiry to which I had devoted myself brought me face to face with one of them, her first word was to beg of me "to say nothing about it." I will only mention one fact. Last year (1881) a young girl, aged 16, was arrested in an "*operation*" of the police. She was taken to the *dépôt*, and then to the dispensary. Happily she was in a physiological condition, which rendered inspection impossible. This young girl, a virgin, was to be married a fortnight afterwards. The banns had been published. She was unwilling that her betrothed, a clerk in a public office, should get to know of this adventure; she feared lest he might be afraid of becoming compromised, if she protested against this action of the police; she feared, perhaps, lest this story should give him some *arrière-pensée*; she feared, lastly, to give up her name, and that of her family, to the life-long ill-will of the police and of certain reporters of the police,

¹ *Liberté*, 13th October, 1878.

² *Ordre*, 7th November, 1876.

who being its most humble servants, only knew how to defend it by calumniating its victims ; this young girl married, but she has a secret, known to the police-agents, which one day or another may become a marvellous means of extorting blackmail. The life of this woman is poisoned.

She is not the only one in such a case. The *Lanterne* of the 6th March, 1881, related the following incident :

"On Wednesday evening, at half-past ten o'clock, a young workman left the house of a friend, situated 2 and 4 *Rue des Lombards*, with his betrothed, and was about to take her home to her parents, when three men rushed suddenly upon the girl and wanted to drag her away.

"These three men, it will have been guessed, were three *agents des mœurs*. The young man tried to set his *fiancée* free. It was lost labour ; the agents insulted him grossly, and even treated him roughly.

"The young workman then ran in search of his friends and of the *concierge* of the house which he had just come out of. His friends came up in sufficient time to interpose between the agents and the girl, who had already been dragged as far as the *Rue de la Verrerie*. They all energetically protested, and bore witness to the perfect honour of the young man and the girl. The scandal threatened to assume serious proportions ; and the agents then decided to set their prey free."¹

If this young girl had been alone, instead of being with her betrothed, she would have undergone the fate of her whose unhappy situation I have just pointed out.

In July, 1881, a young girl from a foreign country, seated at the railway station at Saint-Lazare between her father and mother, waiting for the train to Havre, was taken to the police station by the agents.²

The police nevertheless has lost its confidence. It has daily to make some new concession in self-defence. M. Camescasse is no longer concerned with the "solicitation, impudent or not." Before the 7th commission, on the 10th December, 1881, he declared that the agents had orders to arrest no woman unless she had not only "solicited a man, but also touched him and taken him by the arm, thus attacking his dignity and freedom." True it is that after one o'clock in the morning, he considers every woman found in the streets as lawful seizure. The street still belongs to men in the night ; it no

¹ *Lanterne*, 6th March 1881.

² *Lanterne*, 12th July, 1881.

longer belongs to woman. Workwomen delayed by their sitting up at work, folders of morning papers, women with green-grocery, and market women, are all exposed to arrest without explanation. It is a method of enforcing a law forbidding women to work at night, before the law is passed.

From time to time, one of the agents entices women to solicit him ; if he is made welcome, his comrades immediately take action. That is still the most certain method. It is true that, according to M. Camescasse, this enticing no longer exists, but his predecessors said just as much ; and by his own confession, it did exist.

Every unfortunate who has been arrested once, is sure to be arrested again. When the agents are out hunting, they seek for game that can be easily brought down, so that they may not go on a fruitless errand, whilst at the same time they do the least damage to themselves. They find her. She is lawful seizure. " Her again ! but she is indeed incorrigible ! Case of relapse ! . . . Not a word ! " *Bis repetita placent.*

The agents go to the balls at the *Folies-Bergères*. They never make arrests in the interior of these establishments, but make their observations, and set to work when people come away.

Besides this, denunciations, anonymous or otherwise, come down in showers upon the prefecture of police. They come from lovers who want to get rid of their mistresses, from rivals, from mistresses of licensed houses, from persons who have not obtained what they wanted or who think they have to be revenged on a woman for some disease, or for some other motive ; they come from procurers. " But," as M. Lecour says, " it is not the duty of the police to consider whether these acts are more or less legitimate. They are always profitable to the police."¹

As soon as a letter of this kind arrives, the woman is intrusted to the hands of the police. If the woman has a lover, and lives in furnished rooms, she is arrested.

" Sometimes these notices are due to vengeance or jealousy, frequently they are voluntary inaccuracies, the purpose of which is that women with whom diseased soldiers wish to preserve relations may not be exposed to police proceedings."²

I had in my own hands the proof of an atrocious act. A servant girl was so unfortunate as to be seduced by her mistress' brother. This gentleman is *chef de bureau* in a great

¹ Lecour, p. 88.

² P. 90.

official building. The girl became pregnant. Without resources and with her child on her hands, she addressed herself to her seducer. He answered her "that he had too many mistresses to trouble himself about her;" and to put an end to her importunity, denounced her to the morals police and had her put *en carte*.

Distinctions are sometimes made, for the police is not for equality.

"If *prostitutes* are in question, they are arrested and sent to the infirmary of Saint-Lazare; if the indications concern women, who although *given to venal gallantry*, are not found to be in such condition as to be the object of severe administrative measures, these women are "*mises en demeure*," either to prove by medical certificate that they are under medical treatment, or to pass them on to the *hôpital de Lourcine*."¹

M. Lecour has never forgotten his obligations to venal gallantry! Still, these proceedings do not get through work enough, for from time to time the police makes a raid.

The women all assert that these raids take place when the contractor requires more workwomen at Saint-Lazare. The administration itself confessed that such a thing has happened as that it took its own convenience into account.²

Fourteen or fifteen agents can arrest eighty women in the course of an hour.

These arrests are made especially at the *Porte de Frontin*, along the *Boulevard Poissonnière*, and the *Boulevard Saint-Denis*, never at the *Porte de Péters, de Brébant*, or *du Helder*. The women who frequent these latter restaurants have relations with "*la Haute*." At other times operations are conducted on the exterior Boulevards at the close of certain balls.

Every Parisian has witnessed one of these wild and unclean scenes: agents rushing at women, who fly about weeping and crying; the café tables turned upside down, blows descending on the unfortunate women; their dresses torn and dirtied with a kind of envious pleasure; those who resist knocked down with kicks and blows of the fist. If a man makes any protest he shares the same fate. We know that the police is still in the habit of using violent blows to the citizen.³ Some cowardly fools sneeringly look on and amuse themselves with the sight of this human quarry. The next day certain reporters,

¹ P. 88.

² See further on.

³ Witness the scenes of the 8th January, 1882.

mongrel policemen, who know of no finer title of honour than that of being on good terms with the police, and who, to merit the hand of M. Lecour or M. Macé, are ready to stoop to a baseness so much the easier for them because it is so natural, publish notices written in gallant style, like the following specimen :

"Last night the force of the morals police, conjointly with that of the *gardiens de la paix*, proceeded to make a gigantic clearance of the public streets, particularly in the districts of the *Place de la Republique*, the *Faubourg du Temple*, the *Boulevard Rochechouart*, &c.

"One fact may give some idea of the importance of this novel miraculous draught of fishes. Every day at noon there passes by the police stations the van furnished with cells which removes persons who have been kept in arrest, to the dépôt of the prefecture of police. In the usual way a single journey is sufficient for this work. But yesterday certain of the stations were stowed so full of women who had been arrested that the vehicle in question had to make five or six journeys to transport all to the dépôt."¹

The police with its shamelessness in lying, and its shamefacedness for certain of its acts, had always denied the existence of these raids. M. Lerouge himself had denied it in the face of evidence ; but on the 19th March, 1881, M. Cambon, general secretary of the prefecture of police, declared with satisfaction, and in the most honeyed tones, that the police had just made two raids. It is true that he took good care not to give them this vulgar name. He called them "operations."

On Saturday, the 16th July, the day of M. Andrieux's dismissal, the papers, with jubilation such as they would employ in recounting a battue in the woods of Marly, told the tale of a raid "on a hundred street-walkers ;" "they were seen to fly distractedly in all directions." This woman-hunt much amused these honest journalists. It was taken as M. Andrieux's adieu. It was perhaps simply a spectacle organized by the police for some personage to whom it wished to do honour. I heard M. Boborykine, a Russian journalist, say, in all simplicity, that the police had instituted a raid in order to give him an idea of this "operation." It is its way of showing off Paris to foreigners. They must go away with a high idea of our civilisation ! These "operations" have been continued by M. Camescasse under

¹ January, 1880.

the name of "purifications." M. Camescasse makes them known, announces them in his journal, and has the result registered ; yet before the 7th Commission of the *Conseil Municipal* he denied their existence. Always the same system : the police dares not confess its deeds.

But, strangely enough, M. Camescasse recognized the fact that his predecessors who denied these acts did commit them, only he declared that his system of "purification" had no similarity to that which was made use of under the Empire. The phrase flattered the feeling of those who abhor the name of the Empire, and who have so blind a faith in the word Republic that they do not see the infamous actions masked under that word.

Women who have gone home are not even then safe, if they are not surrounded by their own furniture ; raids on the Boulevards are completed by raids on hotels and furnished rooms.

The police comes at two o'clock in the morning and compels them to open all the rooms. A woman is found in one of them, either alone or with a man, her habitual lover, or with a bird of passage. Then the police commissary decides. He generally says to the woman :—

"Show us your hands."

The woman shows him her hands.

"Your finger shows no marks of the needle. You do not work."

"But I am a florist ! I am a burnisher ! I am not a sempstress."

That does not matter. They are taken at haphazard in the majority of cases.

Sometimes tragedies occur. In February, 1878, an "operation" took place at No. 8 *Rue Duperré*.¹ An unfortunate tried to escape by jumping through a window on the second floor and getting on a glass roof. The glass broke under her weight. She fell, terribly cut and with both legs broken. The commissary was good enough to say to an agent :

"Go and fetch a carriage."

"It is not worth taking the trouble to do so, she is going to die," answered the agent.

She was taken to the hospital and died two days after. In her death pangs she imagined herself to be continually hunted by the *agents des mœurs*. She was a sempstress, named

¹ *Bien public*, 8 Février, 1878.

Louise O——, and twenty-four years old. She had only left her sister's house, where she used to live, three days before. This expedition was conducted by M. Daudet, a commissary of police.

This was not followed by any disagreeable consequences to him. The police knows how to relate the particulars of an accident. And then, as M. Lecour says :

"When a woman is virtuous, she does not live in furnished rooms."

In reality, whether she be virtuous or not is a secondary question. The principal question is, whether she has the means of owning furniture. Here, as elsewhere, it is a question of money.

This was also the opinion of M. Camescasse, who even applied this doctrine to men. If this is not the way to understand what is meant by liberty, it is a way of applying equality.

Nevertheless we have seen that M. Gigot, in his amendment of the regulation of 1843, introduced the following provision :

"It is expressly recommended that women who are found alone in bed, even in houses of ill fame, shall not be arrested unless circumstances force upon the commissary of police the conviction that these women have just committed an act of prostitution." Only he forgets to specify from what symptoms the commissary of police may arrive at such a conviction. *Devait il regarder les draps, inspecter les serviettes et la cuvette ?* The method of research was left to his own appreciative powers.

III.

Women, whether arrested one by one or as the result of a raid, are taken to the station. Some weep frantically ; others remain quiet : a matter of custom. The *gardiens de la paix* receive them. Some of the women are old acquaintances. They (the men) have seen them (the women) come back so many times ! They do not always shut them up in the prison cell. The women sit down on the benches at the station, and the *gardiens de la paix* converse with them, asking them how they were arrested.

"Come, you are going to the great hotel."

So they call Saint-Lazare. The woman, if she is an old hand, sighs and answers, "Yes."

She very well knows that she cannot escape going there.

The van divided into cells comes up. If there is room in it she is thrust into one of its little cages. Stifled in summer and frozen in winter, she is jolted about by the slow trot of the two horses for one or two, sometimes three hours, and finally taken to the *depôt*.

Then she falls into the hands of nuns who are harsh by calling and by temperament, and who satisfy that immense pride that their virtue gives them by their treatment of these unfortunates. They revenge themselves for their chastity at their prisoners' expense.

The women are crowded together in great rooms common to all, where they lie side by side. Neither water nor towel; they cannot carry out the most ordinary rules of cleanliness.¹ In a corner of the little stuffy court, where they are packed together under pretext of taking the air, there is a water-tap in the *latrine*. The *Conseil General*, although it had no desire to know whether there were "women detained administratively" at the risk and peril of the authors of their detention, but thought that the prison would serve for a long time yet, either for them or for others, alas, voted the most indispensable requisites. Since the 19th October, 1880, deliberation thereon is being slowly prolonged in the bureau of the Minister of the Interior, and has not yet led to any result.² The architect had proposed punishment-cells which could be darkened at will. These cells were specially destined in the mind of the director for women "detained administratively." The unfortunates who find themselves in the hands of the police have terrible attacks of hysterics. The director of the *depôt*, a good man to look at him, said to me naïvely:

"Indeed, there are some of them who are not reasonable!"

It is indeed necessary to bring them to reason!

IV.

Then comes on the trial, sometimes twenty-four hours, or more, afterwards. The women appear before the employés of the 2nd Bureau of the 1st division. The *chef de bureau*, under direction of his *chef de division*, arrogates to himself, on the bare word of the agent, in a closed court, without any pleading

¹ See my *Rapport au Conseil General*, 9th October, 1880.

² April, 1882.

being heard, the woman being unable to say anything in her own defence or to call witnesses, the right of adjudging, either her registration as adult or minor, with detention at Saint-Lazare as preface to her enrolment in the lists of official prostitution, with all its consequences, or her imprisonment, administrative imprisonment, to use M. Lecour's expression—an imprisonment varying according to the caprice, temperament, good or bad digestion, want of sleep, and constipation of this bureaucracy, and the attacks of severity or of tolerance of the "administration."

The persons who exercise functions of this kind end by taking a certain pleasure in the despair of these others. The unfortunate makes her lamentation, and to console her they say :

"Come, we know all that ! If we were to listen, they would all be the same ;" and rally her stupidly, coarsely and filthily.

The agent makes his report. He has been careful to amplify it in order to show his zeal. Each woman says to herself : "Why me ? Why not such and such an one who does just as much as I do ? They are never arrested." Or on the other hand it is, "Such an one has got me arrested."

What do they want of her ?

She is told that she has been breaking the regulations.

But she has committed the infraction which serves as a pretext half a score times, and others commit it continually. Could they live if they did not do so ?

She carried on her trade honestly. They gave her a ticket : she cannot live in any other way. Has she done any harm to any one ? She has not been stealing. Well, why do they put her in prison ?

M. Maxime du Camp has described M. Coué's¹ *cabinet*, with the feeling of a slaver talking of his cargo of ebony, in the following terms :

"Very often when they learn that they are to be sent to Saint-Lazare, they burst into tears and beg that they may be allowed to go home to give food to their dog, or their cat. At other times it is a child whom they ask to go to, in order to give it into the care of some neighbour until their detention is over. Whilst the poor woman is speaking in a voice interrupted by sobs, emotion travels from one to another, and soon all these unfortunates are crying."² Most extraordinary ! M. Maxime du Camp cannot get over his surprise ! "For they cry," he adds, "as they laugh, without quite knowing what for !" For what

¹ In reality, M. Hardelay's.

² *Paris*, t. III., p. 342.

follows, plenty of humanity is shown to them; "the authorization asked for is often granted to them." M. Maxime du Camp finds it needful to make excuse for this mildness: "If the dog became mad during its mistresses' detention, and some misfortune, of which the first cause could easily be ascertained, were to happen, what an outcry would be made, and of what would not the police be accused?" Evidently the public would be in the wrong; but the police wishes to spare the public the wrong. And if instead of a dog it is a child which is in danger (quite naturally) of dying of hunger, without going mad and so becoming dangerous? M. Maxime du Camp does not say what the police does in this case.

The police is full of circumspection. The women are never told at the time, of what punishments they are administratively the subjects. This is not by way of refinement, to add to detention the torture of suspense, but simply for prudential reasons ever since "one of them, carried away by resentment, took up a marble paper press and threw it at the *chef de bureau's* head." M. Maxime du Camp forgets to tell us how this fit of passion was expiated. I pity the woman. She must have been tightly bound, sent *au tabac* and detained for a long time at Saint-Lazare.

These women do not only think of their dogs, or their children, but they also think of their rent which they will perhaps be unable to pay, of their affairs, their clothes, their goods abandoned to the pillage of a landlord, often not over scrupulous. "A woman is defenceless," said one of these unfortunates.

It has been seen that in his regulations of the 15th October, 1878, M. Gigot introduced a new provision in order to limit the absolute power of the chief of the second bureau and the chief of the first division.

"In the case when a girl shall appeal against the punishment to be inflicted, her appeal must be transmitted without delay to a commission composed of the prefect of police or his deputy, assisted by two commissaries of police of the city of Paris summoned in rotation."

These innovations betokened a certain distrust of MM. Lerouge, Coué, and Lecour. M. Lecour complained of it bitterly.¹ We have no need to show up the insufficiency of these innovations in a legal point of view; when we look from the administrative point of view, it is evident that this commission

¹ See his book: *La Campagne contre la prefecture de police.*

made up of official persons, accustomed to arrest and imprison, having only a mediocre respect for personal liberty, and convinced that these women have no right to any consideration, would offer no advantage to those whom it was supposed to protect. Besides, it could not do its duty regularly. There were then ten thousand arrests for breaking the rules in the year, say thirty a day. It was impossible that the prefect could confine himself to the drudgery of judging all these cases. Nevertheless, M. Gigot had then M. Vergniaud as his *chef de cabinet*. He made him his deputy. The latter was desirous of carrying out M. Gigot's intention and getting the above-named commission to do its duty regularly. M. Lecour never pardoned him for it. He never ceased his pleasantries about the naïveté of M. Vergniaud. A woman was arrested at three o'clock in the morning. She told the agents that she was going to get a candle. She repeats this reply before the commission.

"*C'était pour vous la mettre dans le cul?*" says M. Coué, with that elegant urbanity which characterizes the persons belonging to the Force.

M. Vergniaud sets the woman free and roundly reproves M. Coué's coarseness; the latter consoles himself for this by saying to M. Lecour:

"If we can no longer say these sort of things, if we are now obliged to put on gloves to speak to these women, the morals police is done for!"

After the departure of MM. Gigot and Vergniaud, under the pachalikate of M. Andrieux, things got again into order, as is stated in a note sent to the commission of the budget¹ by the prefecture of police. It only met, in fact, on the appeal of women actually *frappées*.

"From the 15th October, 1878, to the 1st April, 1880, it has had to consider the cases of 61 women who appealed. The punishments inflicted by the administrative bureau, penalties generally of the minimum degree of severity, have almost always been approved.

"Since the 1st of April last, as no other appeal has been made, the commission has not had occasion to sit."

This conclusion was a fatal one, for one does not need to be gifted with a very great amount of perspicuity to discover, underneath the gentle, soft, spun out expressions of official style, how things went on.

¹ December, 1880, No. 177.

Women appealed, rightly or wrongly. This commission thought them very presumptuous in making use of a power which M. Gigot had granted them in a moment of imprudence. They were received badly enough. The agents, vexed at seeing their word disputed in this way, did not fail to make them pay dearly for their audacity. The chiefs of the force, tired of this restraint upon them, encouraged the agents.

Punishments were almost always confirmed, perhaps increased; and the unfortunates, having learnt by experience that this remedy was not only illusive but dangerous, have renounced it to such an extent that M. Camescasse, after having declared before the 7th Commission that he had very specially interested himself in the question of prostitution, was obliged, a few moments afterwards, to acknowledge that he was unaware of the existence of this special commission.¹

It was easy to foresee this result from the day when M. Albert Gigot planned this organization; like everything else, arbitrary power reasons to suit itself, and it reasons that it must be incapable of being regulated by rules.

Still the fear that recourse should be had to this commission did diminish the length of detentions.

Gisquet, the prefect of police of illustrious memory, with the simplicity of a man who had entire knowledge of his right to use arbitrary power, explained his method of proceeding:

"Every day the prefect of police pronounces sentence on a dozen prostitutes taken up for infraction of rules: some have voluntarily got up quarrels, or created an uproar; others have followed passengers with importunity; others have been found in public houses with soldiers, a thing expressly forbidden them, or in localities forbidden to them, &c.; others have been walking the streets after eleven o'clock at night; and others have neglected to present themselves for inspection in the prescribed time. Imprisonment varies, according to the nature of the case, from five days to *a year!*"²

Then he speaks of the women whose clients had something to complain of:

"When a very natural repugnance (in these clients to come publicly forward) made the trial a purely administrative one, I myself sentenced the offenders to a year's imprisonment, the maximum punishment which, according to usage, the prefects have power to inflict."³

¹ 10th December, 1881.

² *Memoires*, t. IV, p. 352.

³ Gisquet, *Memoires*, t. IV. p. 353.

"This exceptional sort of justice is not perhaps in harmony with the spirit of our civil and political institutions, but it is indispensable, and that word answers for all."

The *Dictionnaire de la Police*, published by the *Journal des Commissaires de Police*, in 1875, says:—

"In Paris, the imprisonment inflicted on prostitutes by the prefect of police is often of many months' duration."

In 1849 the administration chose to give to imprisonments "a uniform duration of one month, in the interests of the prison contractors."¹

In 1877 M. Lecour excused himself from ever adjudging imprisonment of more than twenty days' duration.

A note of 1880 says that "prostitutes arrested for breaking regulations, are sent *en punition* to Saint-Lazare for a period of from four to ten days. It is very rarely that the maximum is given."

M. Andrieux certainly, in the discussion on the Budget," took care to say that he had ordered imprisonments to be more prolonged. It was a trick which he wanted to play the *Conseil Municipal* of Paris at the expense of the unfortunates, who were not to blame for it. These instances of the abuse of power are to be counted by thousands. In 1875, there were 11,000 arrests of subjected women; the figure fell, in 1880, to 7,312. Now in 1875, the number of subjected women was 4,554, and in 1880, 3,582. We see then that these women are arrested at least twice a year. It is true there are protected women amongst these; but as a set off, others who have only just escaped are seized again. M. Lecour says proudly that there are some of them who have been arrested more than a hundred times.

We can understand that women in this position have only one desire, that of keeping out of the hands of the police, so that out of the 4,564 in 1875, there were 1,644 who disappeared; of these 747 were recaptured. In spite of all its efforts the police loses ground. Out of the 3,582 of 1880, 1,935 attempted to hide themselves from the police; but this body showed itself up to the magnitude of its task: it restored 1,159 to its registers! These figures are eloquent. They sound the *fanfare* to this woman hunt!

¹ Parent-Duchâtelet, t. II., p. 190.

² Sitting of the 28th December, 1880.

V.

I beg the ladies who read me to allow that the women who are thus treated are women like themselves, of the same species as themselves, have the same nerves, are susceptible of the same feelings of grief and joy, and have the like inquietudes, and cares.

And it is not only the registered women who are arrested. There are also the unsubjected. Let us take for instance a young girl, hurried all at once into a great hall in the midst of all these women. Many of them inured to and *blasées* with the idea of prison, and knowing that they cannot escape being arrested, feel as if at home there. They pretend to defy it, in order to show the police "that all that is to no purpose," and "that it will not answer in the end."

The conviction that they are the victims of injustice makes them put a bold front on, and protest by bravadoes which take the only form that they can give to them. They try to divert their weariness, idleness, and apprehension by the aid of lascivious pleasantries. They play at being woman and lover. They sometimes quarrel for one another. They jeer at the young ones who weep and lament. "Look at these affected lasses—they are setting up for prudes, are they not?" Some of the more feeling ones give them advice.

The young girl, struck with astonishment, goes thence to appear before the *chef de bureau*. We have already seen that he is not one to "allow himself to be imposed on." He sees thousands of women a year. Every woman who is arrested is to him, as a matter of principle, a prostitute. She is in grief and weeps. "She is not reasonable." That does not touch her.

She must then go for inspection, voluntarily or compulsorily! to Saint-Lazare, "to teach her."

And, in fact, she will learn a good many things there. In accordance with a feebleness which proves their small amount of belief in the goodness of their cause, these police people never, in any place whatsoever, have the courage of their convictions. M. Lecour declares that in a period of sixteen years, out of 11,824 registrations, 11,104 were voluntarily made, and only 790 made by official means.

Ever since the *Conseil Municipal* questions the prefects of police, and they find themselves morally bound to answer some

of the questions put pretty correctly, they have not ceased repeating that no woman is any longer registered by official means. The dispensary doctors, in attempting to excuse their trade, repeat the same thing. But see what happened to a woman, less than a year ago.

This woman recognized the fact that she was a lady of pleasure. She had experience, knowledge, and money, all the conditions requisite for allowing herself not to be easily intimidated. She was arrested in her own home, furnished by herself (without having created any scandal in the public streets, or even in her own house), as the result of a denunciation made by an amiable gentleman, well connected besides, who had wished for her favours, and whom she had repulsed, because she found him too compromising as being too near a neighbour. She was sent to the *depôt*, and then to Saint-Lazare. At the week's end she was made to sign something in the registers, by insinuating to her that it was an indispensable formality before she could be set at liberty. When her signature was once down, a ticket was given to her. She rejected it. They said to her, with the quiet irony which the certainty of a definitive triumph over the resistance of the moment gives to an official: "You will come up for inspection in a fortnight."

"And if not?"

"You will be taken by forcible means."

This woman preferred to leave France. Instead of a woman of this sort, suppose a young girl without experience, knowledge, or resources, brutalized by all the brutal pollutions to which she has been subjected in the street, at the station, the *depôt*, the dispensary, and Saint-Lazare, and in the bureau of the *Préfecture*; and intimidated, and with reason, by the prestige of authority seen in the guise of all these police people. Then a prefect of police will quietly come and say: "She was not forced to take this ticket; she signed her name for it!"

All the classic *Fra Diavolos* make their victims sign bonds which only attack their fortunes, and they are called bandits; the morals police make their victims sign bonds of servitude which bind their whole existence.

Dr. Jeannel clearly shows the way in which the woman's will consents to her own registration:

"Most frequently the clandestine prostitute, tracked and followed by the agents, herself comes to claim the registration which gives her the right, &c."¹

¹ P. 323.

If the girl refuses, M. Jeannel declares, with the tranquillity of soul of an inquisitor in the good old times : "The severity displayed in such a case is absolutely necessary ; there is nothing in it to alarm the jurisconsult, who is most jealous for the liberty of the citizen."¹ If the girl refuses, her refusal is mentioned, "and they do without her consent !"

If a woman gives false references, she is sent to prison. "It is seldom," says Parent-Duchâtelet, "that she resists this trial more than two or three weeks."² Parent-Duchâtelet certainly says "that the administration must be required to use religious discernment," and M. Mireur in his turn calls out for "this religious discernment." Up to the present time it has not been found !

Ever since it knows that notice is being taken, the morals police continues to arrest the unsubjected ; but it lessens the number of its registrations.

Year.	Arrests of Unsubjected Women.	Registrations.
1872	3769	1014
1873	3319	969
1874	3338	1013
1875	3152	913
1876	2349	614
1877	2582	553
1878	3599	624
1879	2105	272
1880	3504	354

The police does not cease to groan over the difficulties created for it by a wicked press and a few hateful municipal councillors ; for the administration must struggle to attain the transformation of clandestine into avowed and registered prostitution.³ The police feels the same hatred for clandestine or unsubjected prostitutes as for contraband goods ! During a discussion one day, M. Lecour found himself at a loss for arguments : they were all turned against him with such a precision that he felt he was hit ; so with a little pouting he said, in a dictatorial tone : "It is not possible that women should make

¹ P. 327. ² Parent-Duchâtelet, t. I. p. 358. ³ Garin, *De la police sanitaire*.

their profit out of the advantages of prostitution, and that the police should not at the same time impose certain duties upon them !”

VI.

It is not only in France that the morals police attains to such barbarity.

In Berlin, the police asks an individual to solicit a woman ; if she listens to him, the police arrests her. It seems that there are persons who will lend themselves to such an act of complaisance !

Every woman arrested in the public streets is taken at six o'clock in the morning before the police judge (Polizei-Richter), a special judge who does not belong to the police force, but to the magistracy. There are a hundred *agents des mœurs* attached to the 4th division ; 3,000 girls are registered definitively : besides these, there are the doubtful cases. Of these there are 2,000.

In Naples, that association formed in the terrible Neapolitan prisons, which carried all before it, and which still exists, the Camorra, regulates prostitution and makes a profit out of the women in concert with the police.¹

Dr. Tullio Spaziani² says :—“ More than once, in Rome and elsewhere, young girls have been taken as prostitutes to the sanitary bureau, and forced to submit to medical inspection, the result of the inspection being to demonstrate the physical signs of virginity.”

In England, as soon as an agent “ has good reason to believe ” that a woman is a prostitute, he may arrest her. This power has been the occasion of several tragedies.

The facts of the last one of which we have knowledge are as follows :—“ On the 15th March, 1881, at Dover, a young girl was all at once pursued by the police agents. She fled from them in terror, and in her frenzy threw herself into the Granville dock, from which the agents did not even attempt to save her. Fished out by some sailors, the agents found her track again very seasonably. It was then no longer a question of her registration. They prosecuted her for an attempt at

¹ *Actes du Congrès de Genève et de Gênes.* Mme. Mario White.

² *Rapp. au nom de la Commission pour l'étab. d'un hôpital de vénériens à Rome*, quoted at the Congress of Geneva, t. II, p. 556.

suicide, which they themselves had provoked! They were asked the reasons for their suspicions: they had seen her talking to some soldiers! This indication was enough for them!

The tribunal indulgently acquitted the young girl. A question was put in the House of Commons to Sir William Harcourt, the Home Secretary, who carelessly answered, without one word of regret—so much do such institutions vitiate all one's notions!—that the agents had acted indiscreetly, and that he had transferred them to another place.

From the preceding facts we may draw the following conclusions:—

VII.

The people who have the management of the morals police offer us no guarantee.

The morals police is a means for extortion of money.

Every registered woman is at the entire mercy of the morals police.

In the eyes of the police, every woman who is not registered is an unsubjected woman.

Any woman may be arrested in the public streets by an *agent des mœurs* on suspicion of "solicitation, whether impudent or otherwise," as says M. Lecour; on proof of "formal solicitation," as pretends M. Camescasse, whose jurisprudence seems to be variable enough; or on proof of her mere presence in the street during the night.

Arrests take place as a result of raids.

Any woman who lives in furnished lodgings may be arrested by police going to her lodgings, in virtue of the police axiom that a virtuous woman must have enough money to buy her own furniture.

The modifications introduced into the regulations of 1846 by the regulations of 15th October, 1878, not only are insignificant, but are also made use of to so small an extent that M. Camescasse had no suspicion of the existence of the commission instituted by these regulations.

The police authorities arrogated to themselves the right of sentencing the women who are arrested, to be "officially detained" for a period only determined by their own ideas of what is fitting; and all this in a closed Court, and without hearing any plea in defence.

They arrogate to themselves the right of subjecting the women to medical inspection at the dispensary.

They inscribe the names of the women whom they think suitable, in spite of themselves or with the help of manœuvres designed to deceive them, in a register of prostitutes, and bind them to certain rules which leave them at the mercy of the police.

CHAPTER SIXTH.

THE IDEAL OF THE SYSTEM.

RECRUITING—DETENTION.

- I.—Apology for tolerated houses—Police geniuses—The Acts and the Brothels—Relations of police to brothel keepers.
- II.—M. Lenaers—Long journeys—Poor brothel keepers—Co-operation in brothel keeping.
- III.—Protection of the Family—Psychology of brothel keepers—Portrait of the “protected.”
- IV.—Recruiting by the police—The “*placeuses de femmes*”—Conjugal confidences.
- V.—The Belgian law-suits.
- VI.—Detention—Debt—Police intervention—Sequestration—Complicity.

I.

A WOMAN has her name written down, she is registered, receives a number, and is inspected. This is not enough: the police has not realized its ideal; for, as M. Lecour clearly affirms, “the action of the police cannot be better defined than it has been done by M. Delavau (1823) *in the wish perpetually caressed by administrators* of all periods, to concentrate prostitution in registered houses.”¹ He adds, “Tolerated houses of ill-fame are the bases of all methods for regulating prostitution;”² far from limiting the number of these houses, the Administration is always disposed to allow new ones to be established.”³ M. Parent-Duchâtelet, in his simple good faith, could find no more glorious title for a Prefect of Police than that of a founder of tolerated houses. “M. Pasquier,” says he, “whom we are sure to trace wherever there is any question of measures which show the talent of the administrator, and his surpassing genius, multiplied brothels as much as he could.”⁴ Parent-Duchâtelet

¹ Lecour, *De la prost.*, p. 107.

³ *Id.* p. 138.

² *Id.* p. 137.

⁴ T. Ier., p. 670.

adds, "The administration, in the interest of the public welfare, ought to give them every protection."¹

The doctors who adopt the views of the police come to the same conclusion. Dr. Mireur proposes to make the public prostitution of isolated women an offence provided for by the penal code ; then, by a method of reasoning to which the partisans of the morals police have accustomed us, he wishes it to be exercised without hindrance in tolerated houses !²

M. Beraud, an old commissary of the morals police, says in his *Memoires* :

"It is well to promote the extension of tolerated houses. As soon as a woman of adult age, who has at least two rooms, furnished by herself, asks for the register book necessary to a tolerated house, the administration should hasten to grant it."³

Elsewhere he exclaims :

"Glory for ever to such men as Lenoir, Dubois, Pasquier, Anglès, and Mangin !" ⁴ And why is this enthusiasm ? Because these gentlemen have spread the system of tolerated houses.

This consequence of the system is so inevitable that it has even been produced in the English towns under the Acts. Houses of ill-fame whose legal name is "bawdy houses," and which are comprised in the general term of "disorderly houses," constitute a "common nuisance." "To keep a house of ill-fame is a common nuisance, and may be proceeded against ; a person may be proceeded against for having frequented a house of this kind. . . . A woman may be prosecuted at the same time as her husband, and punished as he is, for having kept a brothel ; for that is an offence committed in the management of the house, and in which management the wife has the principal share."

Divers Acts of Parliament have been passed for the suppression of these houses, with the effect of obtaining measures more easy of execution and more summary than the ordinary indictment.

Article 35 of the Towns' Police Clauses Act (10 and 11 Vict., cap. 89) stipulates that "Every person keeping any House, Shop, Room, or other place of public Resort, within the Limits of the special Act, for the Sale or Consumption of Refreshments of any kind, who knowingly suffers common Prostitutes or reputed Thieves to assemble at, and continue in, his Pre-

¹ T. Ier., p. 469.

³ *Memoires*, t. Ier, p. 184.

² *De la prost. à Marseilles*, p. 389.

⁴ Beraud, t. II., p. 7.

mises shall, for every such offence, be liable to a Penalty not exceeding Five Pounds."

It follows from this that in London, and in the towns which are not under the acts, there are no licensed brothels, or so-called tolerated houses, but simply "public houses," "lodging houses," where are to be found "good beds for gentlemen."

The women are not enrolled: they go in and out at will; and the mistress of the house does not receive the client's money, giving the woman only as much of it as seems fit to her.¹ The London police is unaware of a single case where a girl has been kept in one of these houses against her will.

In the towns, on the contrary, where the Acts are applied, the "bawdy house" has become an institution. Article 36 of chap. xxxv. indeed punishes the householder who, "having sufficient reason to believe that a woman is a common prostitute, and that she is suffering from a contagious disease, incites her to practise prostitution in the said house, room, or place, or allows her to practise it." But it punishes him, for why? because he has not denounced the woman as being diseased; because he has not constituted himself informer to the police.

Inspector Smith gave the following evidence before the Royal Commission of 1871:—

(Question 14,211). "Do the brothel keepers in Aldershot attempt to disguise the character of their houses?" "Not the slightest."—(Q. 14,212). "They are known to the police?" "Yes."—(Q. 14,213). "And you enter them?" "Yes."—(Q. 14,214). "Do they hesitate to show you the women, or to give you an account of the number of the women in the houses?" "No, not at all."—(Q. 14,215). "Then, in fact, you derive your information from the brothel-house keepers as to the number of women lodging within them?" "I do, in a measure."—(Q. 14,221). "Do the brothel-house keepers in Aldershot try and assist you at all in discharging your duty, or do they oppose you?" "I never found any opposition from them. If I go and ask them a question, I generally find I have been told the truth."—(Q. 14,222). "Are the brothel keepers in favour of the Acts?" "I believe so, in fact I have heard them express themselves to that effect."—(Q. 14,223). "Then so long as they conduct their business without disorder, you do not meddle with them?" "No, I do not meddle with

¹ Report on the laws relating to the protection of poor girls, Col. Vincent, Ans. 570; Morgan, Ans. 600, 874.

them in any way if they do not give me any reason for doing so."—(Q. 14,277). "What is it that makes them regard them (the Acts) with favour?" "I suppose it is from a personal motive. I do not know of any other. If a woman was ill or diseased, or anything of that sort, previous to the Acts coming into operation, she would be some considerable trouble or expense."—(Q. 14,278). "She would be an incumbrance and trouble to the brothel keeper?" "Yes."—(Q. 14,279). "Now she is sent to hospital instead?" "Yes, that is my view of it."—(Q. 14,456). "In what way is it (the operation of the Act) to their benefit?" "If they had women in their houses who were diseased, they would become considerably more trouble and expense to them; they would have to get them to the workhouse, and, perhaps, a woman would be occupying a room which the brothel keeper might probably otherwise let to other tenants, whereas if a woman is laid up in the room, the brothel keeper would be deprived of the rent."

J. A. Phillips, of the Metropolitan Police, gave evidence of the same kind:—

(Question 19,736). "Did you take any measures to make the brothel keepers help you in getting up the women for examination?" "No further than going to them for information as regards who they had at the houses."—(Q. 19,737). "Did they give you that information freely?" "Generally."—(Q. 19,738). "Then did the brothel keepers object to this system of examination?" "In some respects, that is when they were deprived of girls."—(Q. 19,739). "When the girls were kept in the hospital?" "When the girls were kept in the hospital, but in other respects they generally approved of it, so far as they realized any benefit to their trade."—(Q. 19,802). "You have spoken of brothel keepers; what do you say of this class of persons? Have you had any experience of their mode of conducting their business? Are they a disorderly class?" "I have frequently had conversations with brothel keepers on the subject, and at times they appeared to coincide with the Act as far as it served for their convenience, as far as the girls were cleansed in order to bring more trade to the house. They liked it on that ground, but they do not like to be deprived of the girls, and oftentimes when the girls were at the hospital it was a stimulant for them to seek out for others, inasmuch as I have heard the remark made in a speculative way—in fact it has been remarked to me—that they were going to other places to get more fresh girls (a remark I heard from a person who

kept 'The Army and Navy,' in a speculative, business sort of way, of what he was going to do 'this season.')

The ideal perpetually cherished by the police is to concentrate prostitution in tolerated houses!

To this end it protects the owners of these houses by multiplying authorizations; by assisting them in recruiting the staff of their houses; and by acting with severity towards those women who having once entered, wish to leave them.

II.

M. Lenaers, chief of the Brussels police, has studied this question in its smallest details, as shown by a well known report that the Belgians brought willingly forward as a masterpiece.

In the first place there is a declaration of modesty: until 1876, the *collège* had given to the householders written authorizations. M. Lenaers was unwilling "to put into their hands a document stating that their business is placed under the aegis of authority and classed amongst respectable trades." He replaces authorization by tolerance (Article 17). This is modesty in word; let us see what becomes of it in deed.

With respect to the situation of tolerated houses, he acknowledged that it would perhaps be necessary to have them at a distance from the centre of the city; but as a practical man, he at once added, "The persons to whom these houses are necessary do not care to have to make a long journey to them." He might have asked for the construction of a special tramway; he preferred, in order to show off the worth of his argument, to add, "The number of houses is very limited, and decreases daily. . . . By the means which I point out, it will increase."

In another part, he pitied the fate of the householders who "in order to make their establishment fashionable, are obliged to increase their articles of luxury, and must often make great sacrifices, and inquiries that are costly, in their efforts to procure women."

M. Lenaers inspired this spirit into his administration to such an extent, that Mr. Dyer says that when he went to see M. Schröder, the commissary of police intrusted with the *service des mœurs* in Brussels, he "began to speak to him, in passionate terms, of the necessity of protecting such houses, on account of the capital that the householders had expended on them."

In fact, according to M. de Laveleye,¹ companies are formed in Belgium to carry on the tolerated houses; and they get interest for their money at the rate of from 30 to 40 per cent. There is no reason why they may not be placed amongst the anonymous companies, and their shares put into public circulation and quoted at the Bourse.

In Paris, the lawsuit concerning the will of the woman Farcy and the town of Montargis, showed what large sums of money she had amassed in a well-known house. Quite recently the police gave authorization to houses in which men of wealth were evidently sleeping partners.

III.

The police looks with such good will upon this institution that people find it quite a natural thing to ask for authorization to make a profit out of it, as a recompense for their private virtues. Look at a few specimens of the requests made:—

“Being at an advanced period of life, and feeling myself to be on the point of surrendering my soul to God, and of appearing before my Creator, it is my duty to provide for the wants of my children, and to leave them means of livelihood”

The subscriber begged the prefect to grant her a “*tolérance*” to her daughter and grand-daughter.

Others write as follows:—

“MONSIEUR LE PRÉFET,—I have no help or resource but in you; having a family upon my hands in my declining years, I beg of you not to refuse me an honest means of living and bringing up my children: do not, *Monsieur le Préfet*, deny me the consolation which an afflicted mother so much needs.”

“MONSIEUR LE PRÉFET,—Mademoiselle D—has the honour of confessing to you that the most cruel reverses of fortune would have driven her to the last act of despair, if she had not been kept back by the religious feeling which forbids us to do away with what comes to us from Above Her austere and circumspect conduct, the care which she has bestowed on her parents and that which she lavishes on her children, have been deserving of the esteem and consideration of all worthy people; not being able to work, she begs for authorization to receive into her house six women,” &c.

I have sometimes received letters from keepers of tolerated houses, some of them full of menace and anger, others pleading extenuating circumstances. One from the first series runs partly as follows:—

¹ *Flandre libérale*, 25 Février, 1880.

"When shall you put an end to all these infamous proceedings? They injure my interests. You make me lose money daily."

I must confess that my heart is so constituted that this letter filled me with satisfaction.

Another, belonging to the second series, says:—

"The women in this house are better shut up and watched than if they were free. Those who keep and make a trade of them are for the most part honest people, who have been ruined by some business or other, and who have taken to this as they would to any other means of gaining a livelihood. As to Monsieur L—— he is one of those who have taken to the calling out of a taste for it, having come out of quite the lower ranks of life, and he deserves to lose support!"

We see that there are gradations here as in everything. The correspondent who wrote me this letter declared at the same time that he had taken to this business "in order to bring up a large family."

By the description which Parent-Duchâtelet gives of the relations of the mistresses of houses to the girls they keep, and to the rest of society, we can judge whether these good apostles are as worthy of our consideration as they pretend to be.

"What is one of these mistresses?"¹ Duchâtelet has told us:

"She is a woman who by her calling, her interest, her habits, and in some degree by necessity, speculates in public corruption, in the depraved tastes that libertinage gives rise to; her fortune and existence are founded on other people's debauchery; she makes her living out of disorder and infamy alone. She is on the track of the young girl whose face is one to attract the libertine's notice; it is she who surrounds her with every seduction capable of making an impression on her, in order to make her fall into the snare. A *dame de maison* is in her essence the corruptress of youth, and the purveyor of vice; her house is an asylum open to every young imprudent girl who is tired of the tutelage and surveillance of her relations; it is a place of rendezvous for all those whose shameful passions draw them beyond the bounds of duty; it is, in fine, a school of wickedness where children, scarcely grown up, come to serve their apprenticeship to prostitution. This is what a mistress of these houses is, and yet such is the state of society that their existence is in a manner necessary, and that the administration must surround them with every protection,

¹ Parent-Duchâtelet, t. I., p. 469.

in the interests of the public welfare. That welfare will benefit by the completed work."

Such are, as is confessed by the partizans of the system themselves, the honourable individuals whom it is the duty of the morals police to protect!

IV.

The police has two ways of protecting them : by assisting them in getting recruits, and by keeping the women who have been given up to them dependent on them. It is not wanting in its duties in these respects.

In the first place, it endeavours to force women into tolerated houses by means of a very simple proceeding. A young girl lives in furnished lodgings. She is arrested, has her ticket given to her, and is told : "You have no right to live as a prostitute in furnished lodgings."

"But I have no furniture of my own."

"That is no affair of ours. Either go into some tolerated house or be sent to Saint-Lazare."

"In a multitude of cases," says M. Lecour, "when it is a question of carrying out registration and sanitary obligations for prostitutes who are without settled home, these measures would be illusory if there were not tolerated houses."¹ It cannot be said more clearly in decent language that they are taken by the shoulders and thrust into the tolerated houses.

The police cannot carry out this measure too strictly, because the persons who let rooms to prostitutes are too numerous ; it contents itself with plaguing those letters of rooms whom it does not like. But M. Gigot was careful to restore the provisions of the ordinance of 1778 in his regulations : "They cannot lodge in furnished rooms without an authorization."

M. Camescasse, in his invasions of furnished houses, has made use of them for good or ill. These proceedings of the police have given rise to a special industry. Upholsterers furnish a room which a woman hires in her own name.

To this first-named proceeding must be added that provision of the regulations which, by forbidding several prostitutes to live in the same house, has the effect of driving them into brothels in consequence of the difficulty of finding a lodging.²

¹ Lecour, p. 137.

² Lecour, p. 128.

We have seen¹ that the mistresses and female brokers of the tolerated houses were useful as on the watch to denounce the unsubjected to the *agents des mœurs*, justly reasoning that once in the talons of the police they would not be long before they fell into their own.

In Paris but a little time ago, the mistresses of houses reigned at the dispensary, and did their recruiting there, quietly and in the midst of the police and the doctors. In Bordeaux, and in the greater number of provincial towns, this still holds good.

The trade in girls is a regular business, with its special agents, its price current, and its customs.

M. Jeannel, who, in consequence of his position as doctor to the Bordeaux dispensary, has seen very much of those who compose the class of prostitutes, and who has obtained from them some autographs, published a certain number of letters. Everywhere we find the same phrase: "I owe 385 francs (£16)." "I owe 650 francs (£27)." "A friend of mine wishes to leave with me, only she owes 500 francs (£20). She is a beautiful brunette, she is twenty years of age, and I am eighteen." "They are not willing for us to leave; but if they refuse to permit you to leave, go and fetch a commissary." Mme. A. M. writes to a *placeur*: "If you can find me some nice-looking *grisettes*, it would be of great convenience to me. . . . On Wednesday, the 29th, I have to see to the *neuvaine* (a nine days' devotion) for my poor dead husband. . . . " Mme. A., of Montpellier, writes to a *placeuse* of Bordeaux: "It is understood that your expenses will be paid for, coming and going. I can take three or four a month of you. If you find any, let me know, and you have only to present yourself at the Bordeaux railway station; you will have tickets for Montpellier given to you without any trouble on your part." This letter implies that the railway companies open credit accounts with the tolerated houses. Another writes: "Let your good man go to the balls, and do you, for your part, do what you can. I recommend you to attend the medical inspections!" Mme. C——, of Toulon: "I shall require one or two ladies who are pretty, neither too tall nor too fat, who owe as little as possible, and who have a register of birth and passport for twenty-one." It will be remarked that Mme. C—— does not ask that they

¹ Chapter Fourth.

shall be of the age named ; she only requires papers to state the majority. Telegrams are sent :

C——, at F——'s, *Rue Nord, No.—, Cognac.*

Bring the lady, tell her the requirements of the house. The dressing gown is worn, and there is no going out of doors except in a carriage.

L——, *Rue B——, No.—, Bordeaux.*

Mme. C——, 30 *Rue B——, Bordeaux.*

Get your ladies ready, I shall leave Marseilles this evening.

La Baronne, *Rue St. Rome, No.—, Marseilles.*

The telegraph transmit these messages. The post finds these addresses : “ To Mme. Alice B., *placeuse de femmes*” (finder of situations for women). “ To the *placeuse, la Jambe-de-Bois. . . R. à M——.*”

Sometimes there are disappointments, and reproaches are the result. “ It is well to tell you that when Leontine arrived, she was arrested for inspection ; she has not yet begun to work, and I do not think that she will be able to do so for a long while, for she is in a pitiable condition ; she is diseased all through. You can tell Mme. Pepe that she knew how to play her part well so as to get hold of my money.” Evidently there has been deception with regard to the quality of the merchandise, and “ Adolfe,” who signs this letter, might very well have a desire to invoke Article 1641 of the *Code civil* upon concealed vices, or the law of the 27th March, 1850, on adulteration.

Mr. Snagge's report to Lord Granville contains quite a correspondence between English traders and Continental brothel keepers. Each one boasts of his goods, and his honesty, and depreciates his competitors.

The following extracts give a sufficiently exact idea of their way of proceeding. Klyberg writes :

“ My dear Xavier——, M. Lemoine has written to me on the part of Quoilin, who offers to pay me 300 francs (£15) for each girl. I answered that I did not transact affairs with such a rascal !” It is true that further on we find many letters which prove that he is in intimate business relations with this “ rascal.”¹

Albert, a hairdresser, Leicester Square, writes to Madame Malvina : “ I take the liberty of writing to you to ask if you are willing to enter into business relations with me, and to know if you want any English girls of the age of seventeen.”

¹ Mr. Snagge's Report, p. 118.

La Lanterne published the two following letters, which we give as a curious document in regard to the psychological state of those who carry on this business.

To the journal *La Lanterne*, Paris.

"GENTLEMEN,—I address you with certain explanations concerning you, with the proofs thereof.

"I was at a café occupied by some correspondence.

"Two gentlemen—if indeed they can be called such—were at a table near me. Under the influence of liquor, they were talking aloud in a language which surprised me and made me listen involuntarily. The words: *guenon*, *marmotte*, *poupée*, *vacherie* (female ape, marmot, doll, cowhouse), &c. embellished their conversation.

"One of the two, whose name was Lottin, a bully and woman-merchant by what I could understand and from what I was told by the *garçon* whom I set talking, was saying to his worthy acolyte :

"My dear fellow, I am just come from Belgium. I thought I was going to do a good stroke of business: she was a magnificent woman; well this doll played me a trick. I have had many expenses and for no result. Here, look at the letter which my wife in Dieppe wrote me when I was at Mons (in Belgium); she tells me that these Belgian marmots are too vicious, that they read *La Lanterne*, and are too knowing.

"She was quite right. These scribbling vermin, these splashers of ink, are good for nothing; they are without a farthing, and all methods seem good to them, if they can attain their end, and lure the pigeons (the public), very cunningly taking the part of the women and the little ones, &c.'

"The partner of the honourable Lottin was of the same opinion, and said, 'The simplest way is to forbid the entrance of any newspaper sellers into our houses, and only allow the women to read those papers which agree with us.'

"M. Lottin went on :

"I feel quite mad about my useless journey; but I shall recover myself here on the spot. I require, besides, a staff of servants which is often a great difficulty. It is all a matter of clique. I will no longer have any but persons who are unaware of my traffic in houses. I will get some of this sort, and when they become a little too well-informed, I will change them for others. One can never take precautions enough; happily at Dieppe I have a *Condé franc*.¹

"For that I have to pay; but, do you see, one must know how to give away a note for a thousand francs (£40), so that I may act as having authority. I had some girls under age, but I no longer take any since that filthy *Lanterne* took it into its head to chatter about Belgian affairs. We are more prudent. Now that we are nonplussed, we must think of retiring for a while and live upon our income. That, you see, continues to be pretty good. Laura tells me, in her letter of the 21st instant, that the receipts on Tuesday were 320 francs, and on Wednesday 190 (£13 6s. 8d. and £7 18s. 4d.) And you, my boy, how goes it?"

"Their conversation continued in this tone, and contained assertions to

¹ We found the meaning of this word in M. Loredan-Larchey's *Dictionnaire de l'Argot* (Slang Dictionary): *Condé franc*, Corrupt magistrat. (Author's note.)

the effect, that whilst they had the licence to sell liquor, they could always pluck their pigeons with the assistance of their girls. I was able to follow this interesting conversation, which I send you, together with the letter and despatch which, in the warmth of their explanations, they forgot. I should not have committed the indelicacy of taking them, only this world is made up of such wretches.”¹

Here is the letter addressed by Mme. Lottin to her honest husband, *in extenso* :—

*Monsieur Lottin,
Bureau-restant Station,
Mons, Belgium,*

21st April, 1881.

“MY DARLING HUSBAND,—I am sorry that I have to oppose you. You know that I’ve always told you I do not want any woman from Belgium, and I will never have one from there. Our house in the Rue St. Pierre will open in the beginning of June. We have time enough. The woman from St. Ghilain, and Sarah, will open the house if we have no others. A fortnight after two others, taken from no matter where, but not from Belgium. They are too *vicious*, they read *La Lanterne* too much, and know too much.

“Pardon me if I displease you ; but I shall not give way. Women must never be taken from too elevated a sphere. The people of Dieppe would not take to them, it would be too fine. The difference is too striking. If you have a good thing in hand, write to Raymond and the others, let your friends profit by it ; but for myself, I am like you, I do not wish to find women a place for the sake of a few hundred franc notes. I find that I have money enough. I do not want any trouble to come on us. I am too contented, and feel so well off that, for the moment, I say to myself, this will not last. Let us hope it will.

“If you don’t want to come back to the house, send the woman by herself ; you must see whether you can trust her. I have just received the things from Cardinal Flech.

“Send me no messages for money, nor more than one woman.

“I shall not take them in.

“With a kiss. Ever your

“LAURA.

“Tuesday, 320 (francs).

“Wednesday, 190.

“Yesterday (Wednesday), at eleven o’clock in the evening, I received the despatch which I send you. I have sent no money.

“To-day, up to seven o’clock in the evening, no one, either boy or woman servant, has arrived.

“I do not understand it. You ought to have given them money for the journey : see what you have done.

“Two o’clock to-day : I received some Roses de Nice, they are beautiful roses, and scent my room.”

The despatch mentioned above is as follows :—

¹ We suppress certain details which complete this letter, and also the writer’s name, for reasons which every one will understand.

Dieppe from Paris, 92,927, 21 20, 9 h. s. r.

“Madame Lautin, House of Call, Dieppe, Seine-Inferieure.—Send fifteen francs. Journey not taken, to-morrow boy and girl (coli) come.—Dupont Alexandre, Rue Saint-Martin, 122.”

In Paris there are cafés, little restaurants, where the woman's Bourse is held. We know that in such and such a city, women are to be obtained at such and such a tariff. At Versailles it is twenty-five francs. Half-a-score men and women carry on the trade of taking young girls to Versailles, sometimes with their own consent, sometimes on pretext of a party of pleasure, and leaving them there in such a state of helplessness that they have no resource but to remain where these women-merchants have conducted them. The keepers of tolerated houses immediately charge them with a debt of 300 or 400 francs (£12 or £16): that is the price at which they sell them again to their colleagues in the provinces. Only good faith is not always observed. It has happened that the Versailles doctors have warranted as “sound,” girls who have been found defective by the doctor at their place of destination.

Then the brothel keeper who has disbursed his 600 or 800 francs (£24 or £32) for two women, comes to Versailles with his merchandise, and goes in search of the commissary of police, for this magistrate is continually to be seen in all these honest transactions! The buyer claims to have the merchandise off his hands, and his money returned. The commissary of police naturally takes up the cause of the brothel keepers of his administration, declares that the women have been sent, that the merchandise was of good quality, and that the money has been duly received, and, as a last reason, threatens the claimant that he will have him arrested if he is persistent.

V.

No description can give a clearer and more vivid idea of the results of organization of tolerated houses than the narration of the actions at law brought against a certain number of procurers in Brussels, in December, 1881. I publish it according to the *comptes rendus* published in *La Lanterne*,¹ and the *Report from the Select Committee of the House of Lords on the Laws relating to the protection of young girls* (26th July, 1881).

M. Alexis Spilingard, a lawyer in Brussels, came by chance

¹ 21, 22, 25 Decembre, 1881, Avril, 1882.

upon some shocking facts concerning young Englishwomen, and made them known by means of the press. The morals police complained. Proceedings were instituted against M. Splingard. Actions against newspapers certainly do not anywhere answer with the police in general, neither do they with the moral police in particular. In the Cabinet of M. Lévy, the *juge d'instruction*, the rôles are altered; and the proceedings resulted in a dozen procurers being forthcoming before the tribunal of correctional police in Brussels.

The accused were prosecuted for forgery, seduction of minors, inciting to prostitution, and the man Roger for sequestration of minors.

In the first place we have an abduction which concerns France.¹ Two young girls were walking on one of the quays of London. Two individuals offered to show them the inside of a ship. They got them on board the steamboat *Cologne*, and gave them some intoxicating drink. When they came to themselves they were out at sea.

The sailors noticed their reserved attitude when their intoxication had passed off: they were escorted by two men whom the crew knew to be procurers. At Boulogne these young girls were, without suspecting it, led to the door of a house of ill-fame. But the sailors had followed the group. They were suspicious that an infamous deed was about to be done. They warned the girls, who when they knew whither they were being led, asked for help; they were rescued, and as they were without a penny, sought out the captain of the *Cologne*, who took them back to their own country.

In London there exists, or did exist, an association of foreigners for the purpose of providing the continental houses of ill-fame with young Englishwomen, principally minors. One of the members of this association was a tall, handsome man named Max Schultz or Sellekarts, according to circumstances. His duty was to seduce young girls either by promising marriage or in some other way. He then took them to the continent and delivered them to brothel keepers.

In September, 1879, Roger, a brothel keeper in Brussels, went to London and brought thence three minors, who bore false names. One was Adeline Tanner, a girl altogether chaste and virtuous before leaving London.² Roger, when in London, had promised her marriage; he took her to Brussels,

¹ Report, Snagge, p. 144.

² Report of Select Committee, Mr. Snagge, Mr. Dyer, &c.

No. 3 *Rue des Commerçants*. They gave her a paper containing false statements. She was told that if she did not submit she would be taken to prison.

An English captain came to the house one day, and promised to take her away ; but the *gouvernante*, having heard the conversation, prevented him from seeing her again.

Another Englishwoman named Emily Allen was detained more than a month in the house to which she had been taken by Roger.

Ellen Newland, a girl who came to Brussels in July, 1879, relates her adventures as follows. She was living in London, where she met the man named Max Schultz, who seduced her and took her to Calais.

At Calais he made her believe that he was obliged to return to London for a day or two. He put her into the hands of an individual who took her to Brussels, where she was to wait a few days. She was to go to No. 22 *Rue Saint-Laurent*, in Brussels. She was told that this Max Schultz had brought many Englishwomen there. She wanted to get away, but was not able.

Another fact, pointed out by the *procureur du roi*: A girl of sixteen years and two months was bought—that is the right word—by Geaux at a house in Lille, where she had been living for three months. 800 or 900 francs (£32 or £36) was paid for her. This girl was to have been a witness before the court, but died at home of chest disease, three weeks before the trial began. This disease had been brought on by the life she had led.

Maria Higgleton said on her oath that she had led an honest life in London. Then she was decoyed by Max Schultz, who took her to Brussels. She came to Belgium with one of her friends by way of Antwerp. At Brussels she entered Mayer's house, No. 28 *Rue Saint-Laurent*.

These are minors ; but it was requisite that their names should be inscribed at the police station. Yes ! Well, what did the police say ?

They were taken to the police office under pretext of taking them to the custom-house. They found themselves in the presence of a M. Schröder, who could not speak English. The interpreter was the woman Parent, the *gouvernante* of a tolerated house !

Or indeed, as M. Pierre Spingard said, in the action concerning Adeline Tanner : “ Roger dictated whilst Schröder held

the pen ! What an infamous thing ! ” The girl was made out to be older, if she looked too much like a minor. They produced a false birth certificate that had been procured at Somerset House ; and afterwards this was made use of to her detriment by accusing her, the poor innocent, who had not uttered a word ! of the crime of misleading the police, a crime which entailed imprisonment. It was thus found that virtuous girls who had never left London had their names inscribed in the registers of the brothels of Brussels.¹

These facts being brought forward, we think we cannot do better than give an extract from the *compte rendu* of the trial.

M. Henry Lévy, *juge d'instruction*, read as follows :

At the termination of the proceedings against the young Englishwoman, I had charge of fresh proceedings, which resulted in bringing to justice Sellekarts and the woman Parent.

The accused Parent was aware of the minority of the girl Tanner, who was eighteen years old. She (Parent) acted as interpreter at the *bureau des mœurs* when she gave an incorrect age to the girl. She was accompanied there by Roger. They told the girl that she would go to prison if she were not docile. She had been told that she was going to the custom-house.

The girl Tanner, whom the witness had interrogated at the *Hôpital Saint-Pierre*, was a remarkably lady-like girl. She appeared to be no more than seventeen, and was very pretty.

A series of testimonies follow, which all show that the girl appeared to be very young. A single individual had not been struck by this youthful appearance, and had blindly believed the woman Parent's declarations : this was M. Schröder, commissary of the *police des mœurs*.

Question.—She did not know French, and you did not know English ?

Answer.—The *gouvernante* Parent interpreted.

M. Schröder found that quite natural. Matters had gone on in that way for thirty-four years ; as to false names, there was nothing simpler. It never even entered his head to make any inquiry, or any reservation whatever. M. Schröder had an inborn confidence in the declarations of masters and mistresses of tolerated houses, and in those of their agents. “ I never made any remark as to the age of the girls.”

Mr. Dyer, a London editor, explained how the girl Tanner came to Brussels, deceived by the accused Roger. She had never had any false certificates of birth in her hands.

The girl had a defect of conformation ; she was sent to the hospital, and, horrible and shameful to say, the doctors applied

¹ Snagge, p. 27.

themselves to operating on this poor creature, in order to make her fit for the trade for which she had been sold.¹ It was then that she was rescued. From information obtained by Mr. Dyer, which was confirmed by the London police, she had lived a chaste life before she came to Brussels. Mrs. Stuart, whose servant she was, testifies to this. Since her return to England, she has been taken care of by Mr. Dyer, who has every reason to be satisfied with himself for having done so.

The doctors Korten, Thiry, Guillery, and Van Brughen were then heard.

Dr. Korten, a dispensary doctor, like all his confrères, considered that everything was quite right. Nothing surprised him either in the age of the girls or in their position. But against him arose a terrible charge. The girl Tanner, at the time she was taken to the dispensary, was a virgin, and she was outrageously violated. By whom? by what but the speculum, since she was taken straight away to the dispensary which she was told was the custom-house.

She was told that if she tried to go out, she would be prosecuted for having taken a false name; and in fact she was prosecuted and condemned to a fortnight's imprisonment, and it never entered the head of either police or magistrates that others might possibly be the guilty ones! "Three weeks in a tolerated house, six months in a hospital, and a fortnight in prison, such was her life in Brussels."²

The girl Emily Allen had also been taken to Brussels by deceitful means. The *gouvernante*, Mélanie Elslande, made the remark that she was very young.

In the house of Roger, Emily Allen had shown a wish to leave; she had violent hysterical attacks. She was detained for five weeks. Her clothes were not at her own disposal; she had only a child's costume (*costume de bébé*) in which she dared not go out of doors.

At the five weeks end she had a quarrel with Roger, who threatened to take her to prison if she tried to go out. She answered:—"I would rather go to prison than stop here." The next day she was taken to another house.

She had been beaten by the woman Roger and by the *gouvernante*, the girl Van Elslande, on the day following that on which an American had been to see her; she had told the American that she was determined to remain there no longer. She was kept in solitude in her room for five weeks. When she would receive no clients, they refused her food.

The accused Van Elslande confessed that when one day a man was in

¹ Report from Select Committee, Questions 135-137, 313.

² Report. Deposition of Mr. Snagge, deputed by Lord Granville to study the question, p. 135.

the girl Allen's room and the girl Allen would not go to join him, she made her come down by forcible means, and that the *patronne* (the woman Roger)—who was also summoned to appear but did not come up—beat her.

The girl was asked why she never complained to the doctor or to the commissary of police.

They did not speak English. Besides, the visits of the police were made in a very particular fashion. The commissary of police came once to the house. He came into the *salon* where all the girls were, and asked them if they were contented. I answered, Yes. I was afraid of being beaten.

As to the matter of costume, the accused Parent explained that, upon the entrance of a girl into the house, all her clothes were confiscated; they gave her nothing but a covering for the shoulders, a child's chemise, and slippers.

Sometimes, it is true, they may go out, but always in the company of the mistress of the house, or of the *gouvernante*.

Marie Raynche, an old *gouvernante* of the house kept by Roger, explains the system :—

Every time one of these women goes out with the mistress or the *gouvernante*, she has to pay 20 to 30 francs (16s. 8d. to 25s.)

There is a special method of closing the doors of these houses; you enter easily, but get out again with difficulty.

M. Schröder himself, the officer of the *police des mœurs*, was unaware of all this. These measures do not constitute a sequestration in his eyes. If it was objected that the regulations of 1877 prohibited these measures, M. Schröder, in the purity of his heart, did not consider that they were in contradiction to him. On the contrary, if the brothel keepers confiscate the girls' dresses, it is to prevent them wearing them out.

M. Schröder might, without disturbing his peace of mind, have sent girls who were under age to tolerated houses: he was protected by a decision of the *collège échevinal*.

There was an interpreter, the witness Courtois; but his memory was failing, and he was unable to answer any questions.

It was this distinguished interpreter who declared that the girl Newland—another victim—had been a wetnurse (*nourrice*) in England, because she had told him that she had been a "nurse" there.

Two girls, Higgleton and Nash, sixteen years old, and registered as being twenty-two, ran away one evening from the tolerated house kept by Mayer, No. 28 *Rue Saint-Laurent*, in the only costume given to them, and which is far from being a complete one. The mistress and two *gouvernantes* rushed off in pursuit of them. They caught the girl Nash in the first place; two of them struck her, whilst the third held her hand over her mouth.

The girl Higgleton threw herself into the arms of a passer-by, crying out in English that she wanted to get away, and asking for clothes. Two or three young men came up.

During all this tumult and noise, not a single police agent made his appearance; and it was then that the brothel-keeper Perpète, who was following them, passed himself off as an *agent des mœurs*. He said that he would take them under his protection, and showed some papers. He took the girl back to the *Rue Saint-Laurent*.

A photographer, M. Staquet, was witness of a scene which took place in the *Rue des Sables*, a little higher up than the *Rue Saint-Laurent*. The fugitive was crying out, 'three women had got hold of her. When this witness interposed, these women let the girl loose. The girl said that she put herself under his protection, and that she did not want to go back to the *Rue Saint-Laurent*. Other witnesses were present at this scene, which occurred on the night of the 16th October, 1879. There were no police about.

The following fact shows the confidence which the morals police inspires in its victims. It was said to M. Spingard:

"But the girl Newland told you that she remained voluntarily in the tolerated house, and she made no complaint."

"Yes, because she thought I was a police agent."

Look at the character of the individuals that the Belgian police surround with their protection:

Sellekarts has been found guilty times without number: in 1848 and 1849 for robbery; in 1854, for striking his mother; the same year, for inflicting blows and wounds; in 1879 he was sentenced to eighteen months' imprisonment for violence of a serious kind, &c., &c. He is now undergoing the last named punishment in a central prison.

Cartel has been found guilty eighteen times, two or three of which were for attempts to commit a rape.

The married woman, Mayer, also has her prison record: she was found guilty of complicity in a case where a man kept a concubine under the same roof that sheltered his wife.

Roger has been found guilty of rebellion.

Perpète has been found guilty of rape, and of personation of a public functionary.

The masters and mistresses of houses have plenty of means wherewith to pay for the protection of the police, as is proved by the following passage of the address for the prosecution:—

In 1867 a Frenchman and his concubine, both of them without resources, came to Brussels. He entered as waiter in a café at the Alcazar, and she as a *gouvernante* in a brothel in the *Rue Saint-Laurent*. In 1872 they joined each other, and, with the fruit of their savings, took to an establishment in the *Rue de Diest*.

Five years after, in 1877, their business had prospered so much that the interesting couple sold it for a sum of 100,000 francs (£4,000), and retired into a pleasant country house which they had acquired, near the gates of Brussels; independently of this château, they possessed other real estate. The retired brothel-keeper valued his fortune at 400,000 francs (£16,000). Since then he has taken to an establishment in the *Rue Saint-Laurent*. His honest trade succeeds marvellously well; and he boasts that he will soon be a millionaire (million of francs, £40,000).

Those who defended the accused had only one thing they could say :—"If our clients are guilty, is not the police guilty in the first place?"

The lawyer who defended the *gouvernante* Parent, recounted how that she, a registered prostitute herself, had desired to get her name erased from the police lists, but that she could not do it.

He declared that there were more than twenty girls under age in the brothels of Brussels. The public minister denied this.

"You have not made a good search," puts in the lawyer.

The lawyer defending Roger lays down this dilemma :—

"You say that prostitution is a necessary evil, and you accuse those who encourage it! But the men who manage these establishments for public use are the auxiliaries of the police."

The lawyer for the Mayers and for Perpète put this question :

"Why do you reproach the Mayers for not having found out the girl Nash's age? Did the officer of the morals police make any discovery? Did the dispensary doctors make any discovery? Are not birth certificates, and other papers, the business of the police, and not ours?"

The tribunal gave judgment, sentencing

The girl Parent, to twenty-three months' imprisonment, and a fine of 150 francs (£6); Roger, to two years' imprisonment, and a fine of 300 francs (£12); the girl Van Elslande, to a week's imprisonment; Geaux, to one year, and a fine of 500 franc (£20); Mayer, to ten months, and a fine of 500 francs; the woman Mayer, to four months, and a fine of twenty-five francs (21s.); Perpète, to 16 months, and five years' surveillance by the police; Regnier, in default of appearing, to three years' imprisonment, and a fine of 300 francs (£12); Landre Eugénie, the divorced wife of Duval, in default, to ten months, and a fine of 200 francs (£8).

What was the sentence upon M. Schröder, the chief of the morals police, who registered the young Englishwomen, and who set down the girl Nash as twenty-two, when she was only sixteen and two months?

What was the sentence upon Dr. Korten, doctor in chief at the dispensary, and of his colleagues, upon whom rests so terrible an accusation with regard to the girl Tanner?

What was the sentence upon M. Lenaers, commissary in chief of the city of Brussels, who said in his report for 1876, "We cannot delay registration of prostitutes until they are of age?"

What was the sentence upon the *Collège échevinal* of Brussels, which authorizes registration of minors, and immuring them in tolerated houses, from the age of sixteen?

Such were the questions naturally asked at the termination of this lawsuit ; and these questions were the condemnation of the morals police. The procurers had been punished as scapegoats ; it was not understood, and it is not even yet understood, that the Bar would not allow responsibilities to lie on the hands of those higher up in the social scale.

On the morrow of the day, 17th December, when judgment was pronounced, there were five young English girls remaining in the brothels of Brussels ; two of them, the girl Bond and the girl Hogg, disappeared that morning, and it was never known what became of them.¹

We have already said that M. Boland, chief editor of the *National Belge*, was found guilty of defamation of character against M. Lenaers, the chief commissary of police in Brussels, after the examination of several witnesses, and that five of these were afterwards prosecuted at the correctional tribunal, and found guilty of bearing false witness in this affair.

The trial revealed the fact that the brothel keepers were all clients of the trading house which M. Lenaers conducted in his son's name. They had to choose between the commissary's wine or their own ruin.

Whilst the lawsuit was pending, fresh proceedings had been commenced ; there were fresh arrests ; and in the month of April a fresh lawsuit was evolved.

These are some of the details :

Louisa Hennessy, a girl of twenty, appeared as a witness. She had been carried off from London, being then a virgin. She set out to Paris, thinking she was going to be a servant. She was taken to Brussels to Mme. Paradis' brothel.

She protested. Her protestations were not listened to. On her arrival, Mme. Paradis tried to make her submit to medical examination. The girl showed her astonishment, but Mme. Paradis told her that such was the rule. She understood only when at the police office for what purpose she was to be utilized.

The doctor at Brussels had, it appears, some scruples, but they were not enough to induce him to take an interest in the girl, and to denounce the deed. He left her in the hands of Mme. Paradis, who sent her to Antwerp. There she was violated, and fell ill. She then came back to Brussels, where she was kept in seclusion, and then sold to the Hague for 1,200 francs (£48).

¹ Snagge, p. 165.

The President.—So that the poor girl was without money and without friends in a foreign country !

Miss Hennessy said that everybody, including Mme. Paradis, knew that she was not of age.

Mrs. Stuart.—She had known Louisa Hennessy for the last six months. She found her in a London hospital. The girl's moral character was perfect before she left England.

M. Stops, a doctor at Ghent, declared that he saw her when she came to Ghent, and that she appeared to be about seventeen.

M. Schröder, chief of the morals police in Brussels, had naturally put the girl on the register. M. Schröder recognized her without the least embarrassment, and acknowledged that Mme. Paradis acted as interpreter. This prudent police officer went to Mme. Paradis when the first revelations of the white-slave trade occurred, and advised her to get rid of this young girl. He added that he gave this advice because the answers and the embarrassed air of this young girl made him suspect that she was under age. He resumes, however, with the observation that she seemed to be young without doubt, but appearances may deceive one. That happens to us every day of our life, is his philosophic conclusion.

Lastly, to explain away his carelessness, he made this astounding revelation : The girl Hennessy appears younger now that she did two years ago.

The result of this trial was as follows (12th April, 1881) :

Évariste Paradis, two years' imprisonment ; Mme. Paradis, two years and a half ; Jean Sellekarts, six years ; Louis Xavier, eighteen months ; Irza Lefrond, the wife of Blum, eighteen months ; Abraham Blum, acquitted.

The London Committee possessed Lord Granville with these facts, and he directed Mr. Snagge, a lawyer, to institute an inquiry in Belgium. This inquiry completed the statements made at the trial. In the years 1878, 1879, and 1880, thirty-four young English girls were expedited from London to Brussels.

Inspector Greenham only obtained a list of twenty-three names, which shows that the responsibility of the police for human flesh is but lightly held.¹

The price current was about 300 francs (£12), carriage paid, only after the receipt of the merchandise and proof that it was in good condition.

These girls had been engaged as barmaids ; not one of them was made acquainted beforehand with the trade for which she was destined. The brokers, fearing to be saddled with the expenses, in case of the woman being diseased, preferred to take young girls who were steady or pretty nearly so, rather than avowed prostitutes. Adeline Tanner was a virgin,² Louisa Hennessy was a virgin,³ Allen was a virgin,⁴ and others it is probable were so.

¹ Snagge, Q., 35.

² Snagge, Qs., 122-135, *Report*.

³ Id.

⁴ Thomas, Q., 946.

VI.

The police not only helps to find recruits for the tolerated house by registering minors, and by facilitating the registration of girls brought to it by the mistresses of these houses, but it also assists these mistresses to guard them.

The woman has entered a tolerated house, either surprised into it, or of her own free will to escape from the pursuit of the police, "for fear of the coffee-mill."¹ The mistress of the house knows that it will not be long before the poor creature wants to leave. This is tiresome. In Paris, the police has made special regulations to prevent prostitutes from changing their residence.² But these regulations were too crude, and the police is modest. So that by means of a more or less explicit understanding between police and brothel keepers, the system of sequestration is organized in this way.

As soon as a girl enters a brothel, she becomes indebted to it.

The commission paid to the national or international purveyors is set down as the first debt.³ It is a refinement by which the slave is made to pay the money she has cost.

The girl, once within, shut in by padlocked *persiennes* and bolted doors, cannot buy anything outside the house, and consequently must pay ten times their worth for her little things.

In Paris, the mistress pompously designates as a *peignoir* a piece of tulle which is worth perhaps a hundred sous (4s. 2d.), and reckons its price as sixty francs (£2 10s.) to the girl whose nudity it is intended to render more enticing, by allowing her to extend her arms in various directions instead of letting them drop stupidly beside her thighs. Every day there is a franc for the hairdresser. Washing is paid for at the same rate. In the outer Boulevards, a girl is only entitled to a clean pair of sheets once a fortnight. We can understand in what a condition these *omnibus* sheets must be; she must pay, if she wants them changed more frequently. In some prosperous houses she is well fed, spoilt even; in others, ill fed, almost starved;

¹ That is, To the Coffee Plantations. Girls were arrested and sent off to Cayenne.

² Parent-Duchâtelet, t. I., p. 442.

³ Report, Snagge, p. 129.

and more than that, a prey to the ennui of long unoccupied hours of seclusion, she is forced to obtain "extras," for which she must pay as dearly as her clients. The whole policy of a clever directress of a brothel consists in this, that not a sou gained as "gloves" by her boarders shall escape her clutches.

The debt increases to a figure proportioned to the woman's value and the rank of the house. It varies from 300 and 600 to 1,200 francs (£12, £18, £36), the latter figure seeming to be the maximum. Nothing any longer belongs to the woman, neither the stockings which she wears, nor the *peignoir* with which she covers her shoulders, nor the ribbon with which she binds her hair. All is more than covered by her debt. If any one wishes to take a woman away from a tolerated house, it is said: "You must pay her debts;" and then the mistress makes them bigger in proportion to the simplicity of the dupe, sometimes in collusion with her slave. "But if she tries to fly by stealth," says M. Beraud,¹ a competent authority, "from the house in which she was registered, after having used, for her own profit, linen, ornaments, or the garments she wears, and which belong to the mistress of the house, and the matter is brought before a tribunal, a verdict of acquittal will follow.

"Well, the police never lets such deeds go unpunished; it listens to the complaint of the matron it is bound to protect for the reasons aforesaid, and the delinquent is sentenced to many months' seclusion."

Parent-Duchâtelet confirms this:

"It frequently happens that a prostitute who has several times changed from house to house, finds herself in debt to such an amount that she can never free herself of it. In order to escape from the restraint under which she is placed, she runs away in secret, taking with her some clothes that the mistress of the house holds as her pledge, and for the removal of which the mistress makes a complaint of fraudulent abstraction."²

Then the prefecture of police intervenes:

Formerly (1819) it contented itself with having the girl who was accused of abstracting goods, brought up, and *threatened with imprisonment*, if she did not restore what she had stolen.

When M. Anglès saw that these abstractions ruined some of the mistresses of brothels, he did not punish for the theft, but he tripled, or quadrupled the punishment for an act of prosti-

¹ T. II., p. 50.

² T. I., p. 441.

tution when it was committed by a girl accused of having stolen.¹

The various administrators who have passed through the prefecture of police have not always looked at this question in the same way, for *I have proofs* that many of these thieves have been, *in many cases, put in prison and kept there shut up* until the stolen objects have been restored.²

M. Delavau introduced a measure in virtue of which a girl could not remove from one house into another without presenting a certificate of good life and morals from the lady whom she was leaving.³

"Proceedings went further under M. Maugin; there are examples of severe punishment for little thefts, even after restitution of the objects carried off; such a punishment as, for instance, a fortnight's imprisonment for the abstraction of a comb or a pair of socks. *Nothing was more laudable than the end* M. Maugin proposed to himself; by this excessive severity he wanted above all to befriend the lady brothel keepers, the indispensable necessity for whom he had recognized."⁴

MM. Poirat-Duval and Trébuchet add :

"As the administration obliges the mistresses to clothe their girls" (with a lace peignoir), "it believes it to be its duty to intervene in the matter of stolen goods. In consequence of this, it inflicts on girls guilty of these thefts, and who can neither restore the goods or pay what they were worth, punishments proportionate to the value of what has been taken."⁵

M. Lecour followed the same plan :

"There are also the difficulties introduced by the very numerous thefts on a small scale, having for their object articles of the toilette, garments, and professional trifles which a prostitute, to whom they do not belong, may have unlawfully taken from one tolerated house to another, difficulties which justice does not take into account, *and which are settled in a word by intervention of the police.*"⁶

In 1878, M. Brisson, the *maire* of Bourges, a worthy man, took quite a different course. He prohibited the "heads of the house from making any advance to their boarders which was of a nature to bind them to the establishment. The heads of houses threatened to make a strike of it: a woman who asked for an authorization declared that under these conditions,

¹ P. 256.

⁴ T. II., p. 257.

² T. I., p. 447.

⁵ T. II., p. 257.

³ T. II., p. 255.

⁶ P. 142.

she could no longer keep up her establishment. A few girls profited by it, by resuming their freedom. Although very much put out by it, the brothel keepers took good care not to put their project into execution."¹

Mr. Stanley, an English *pasteur* at Lille, wrote to Eliza Bond, an English girl who was in a brothel at Lille, asking her to come and see him. She showed the letter to "Madame," who said: "If you go away, I shall put the police on your track!"²

She could only get released after the lapse of a fortnight, and then it was thanks to the intervention of the British consul.

At Antwerp, two girls, Alice F——, in 1874, and Sarah J——y, in 1879, appealed to the consul, and demanded their liberty; the commissary of police was in no hurry, took the side of the mistress of the house, and both girls disappeared; and it was impossible to find them again.³

According to his custom, he no doubt began by sending them to spend a few days with *l'Amigo*, in a muslin petticoat and a *caraco*. The mistress is careful even to keep the false hair, and says, laughing,

"Here is another dressed in the English fashion!"

The origin of this phrase is made evident by the simple recital of the facts which were brought out at the Belgian tribunals. Independently of those which we have already considered, we have the enumeration of facts of which M. Boland offered to bring proof in his deposition before the *Collège Communal*.⁴

13th, The girls in the brothels of Brussels were subjected to ill-usage, sometimes exercised with the greatest brutality.

At No. 7 *Rue du Persil*, frightful cries, as if women were being beaten, were often heard.

The brothel-keeper Barthélemy was accustomed to beat the girls in his house, No. 8 *Rue du Colombier*. One of them having succeeded in making complaint, he took to flight and left for France.

Emily E—— was beaten by the *patronne* and the *gouvernante* for wanting to leave the house when she was detained against her will.

Ada Maria H——, a girl under age, having escaped from a house in *Rue Saint-Laurent*, was pursued by the man named Perpète and two girls, and when caught in *Rue des Sables*, was seized hold of and cruelly beaten, and finally taken back by force to the brothel.

The girl L—— was struck so violently by the brothel keeper Roger, of 3 *Rue des Commerçants*, that he broke several of her ribs.

The girl Adeline Tanner was the victim, in the same house, of such violent ill-treatment, that respectable witnesses who visited her at the

¹ *Bulletin continental*, 15 *Avril*, 1878.

³ *Report*, Snagge, p. 131.

² *Rep. H. of Lords*, Q. 1108.

⁴ 1st March, 1881.

Hôpital Saint-Pierre, and others who interrogated her, have termed it *horrible atrocity*.

Her cries were heart-rending, but she received no help.

15th, In the brothel kept by Roger, in a corner of the room, was a powerful elastic whip (*nerf de bœuf*) which he used to strike the girls with. A witness saw marks of blood on it.

He obliged the girls every morning to go down on their knees before him and kiss his hands.

18th, The girls were in reality locked up in the brothels at Brussels. The keepers despoiled them, on their entry, of their garments in order to clothe them in such a fashion that they could not decently show themselves in the street. When they wanted to leave, they refused to give them their clothes, saying that they had debts which they must pay first, and threatening them with the prison. The refractory ones were struck with the fist: those who succeeded in getting out were pursued, beaten, and brought back by force.

The letters that they wrote were intercepted, opened and suppressed, or given up to the police according to circumstances.

The English government, in the first instance, sent a detective, M. Greenham, who, doubtless, from *esprit de corps*, did not stir a step without the Belgian police.¹ We have an extract from M. Boland's deposition, containing the narration of an old agent of the *police de sûreté* of Brussels:—

"On the day when the English detective made, in company with M. Schröder, an inspection of the houses in the *Rue du Persil*, *Rue des Commerçants*, &c., I was in Brussels. The same evening I went to the *Café de la Renaissance*, where all the brothel keepers were at table.

"M. Paradis, who lives in the *Rue du Persil*, said these words in my presence, and in that of another person:—'What a fool all the same Schröder is making of this detective. Imagine that exactly at the moment he was leaving the house, the detective desiring to open the door, and finding it shut, said, See now, the door is shut as if it were a prison, and immediately stooped so as to examine the lock. At this moment, M. Schröder made me a sign that I understood. What a head this English detective must have, not to perceive that Schröder was in the way to make a fool of him.'

"The brothel-keeper, Roger, of No. 3 *Rue des Commerçants*, on this same occasion, that is amongst the persons at table in the *Café de la Renaissance*, said, 'They came to my house also after dinner. The English detective examined the chamber doors, and declared that the women were locked up. Schröder who was behind me, made a sign, so that I knew that I must answer him with chaff, or some joke or other; when they were on the point of leaving the house, he again made me a sign. You will understand how my wife and I laughed when they were gone.'"

This is the way in which the detective questioned the young English girl who was found at No. 12 *Rue Saint-Laurent*. The intention of the Brussels police was simply to humiliate M.M. Dyer and Splingard in the eyes of the English detective, so as to conceal its own complicity in this affair.

¹ *Report*, Snagge, p. 143.

Another declaration is that of Mrs. Butler :

The girl H. S., who was then in the house in the *Rue du Coude*, was questioned by Mr. Greenham in the presence of her companions.

In answer to his questions, she replied that she was happy and content, and that she had no wish to leave. Later on she was sought for the purpose of getting her to escape from Brussels, and she came to me in Liverpool, having been recognized by some of my particular friends in Brussels.

In September, 1879, having escaped from this house of ill-fame in Brussels, she had been taken back again by force. I remarked that it had been said that she had told inspector Greenham that she was happy, and that she did not want to go away ; I added, "and yet you attempted several times to escape, and finally succeeded in doing so. Why did you say what was not true?"

She replied : "How could I speak the truth, when madame (the brothel keeper) was in the adjoining room, and M. Schröder (the chief of the *police des mœurs*) was behind the detective, making signs and threatening me with his fists?"

After all these trials, one of the brothel keepers, who was compelled to let one of her slaves go, felt the stockings of the poor creature, to make sure that she had not kept a farthing back, and that before the commissary of police, who looked on unmoved !

In one word, to M. Beraud, to M. Lecour, to MM. Lenaers and Schröder, and to all men who believe that to protect tolerated houses is the mission of the police, every girl who goes away from the house without having paid in full the debt made up of her purchase money and all the supplementary gleanings that the rapacity of her owner may have contrived, is a thief if she takes away as part of her body clothing a chemise, a pair of stockings, a pair of boots, a miserable under-petticoat, or a comb, which has not been paid for ; and such things never are paid for, because the woman is always in a state of indebtedness, and according to this ruling of the law, she will never be free until her death, or until the time when her mistress finds that she does not bring her enough in, since it is her body itself which is the permanent pledge of this perpetual debt. If there is any dispute, the police intervenes and demands delivery of the goods !

After these confessions from their books of instructions and their official reports, and after the revelations of these trials, the police have still the audacity to say :

"It is false ! we are in no way accomplices !"

They go further still and deny everything. MM. Lenaers and Schröder denied everything at Brussels, "to such an extent," says Mr. Snagge, "does constant contact with the

system obliterate the moral faculty in the agents who work the system.”¹

Much more than that : this moral corruption spreads to the magistracy.

M. Janssen, *procureur du roi* in Brussels, to whom the Lenaers affair “had given much trouble (*tablature*),” said, to make use of his own elegant style :

“Every prostitute is kept in seclusion just like the cookmaids who cannot go out every day to ‘promenade on the boulevard.’”

He talked in this way on the 7th March, 1881, and the condemnation of the brothel keepers, the authentic proof of the fact of forced seclusion, took place in the preceding December.

He talked in this way to defend MM. Lenaers and Schröder ; and in the following month it was shown that the former of the two only attempted to justify himself by the aid of false witnesses, whose zeal conducted them to prison !

¹ *Report*, Snagge, p. 142.

CHAPTER SEVENTH.

MORAL RESULTS.

- I.—Contradiction—Method employed in the Scramble—Prohibitions—Ingenious way of applying them—Right of Solicitation—"I am in order"—Psychological Condition.
- II.—The Tolerated House—Modesty of the Police.
- III.—Compulsory *Sadisme*—"Give them their choice, ladies!"—The Soldiers' Brothel.
- IV.—Disagreeables of the Calling—Confessions of the Police.
- V.—Brussels—The Riddeyck of Antwerp—The Musicos of Rotterdam—Marseilles—Unhealthy Atmosphere.
- VI.—The Woman sinking under the Burden—The Clients—Crushed Condition of the Pariah—State of Depression.
- VII.—The Ticket—Difficulty of Erasure from the Register—Dramas—The Pariahs.

I.

What is the result of the system on the wretches subjected to it? By the help of the proceedings which we have considered, the girl is registered—her destiny is fixed.

She "may not lodge in furnished rooms without authorization." Why is authorization necessary for this and not for that one? This is a mystery which only the *agents des mœurs* and certain brothel keepers can enlighten us about!

If you have read the regulations, you have found a lot of prescriptions which may be summed up in this:—We compel you by your registration to make your living only by prostitution, and at the same time we prohibit your doing what is necessary to make a living by it.

What is the result of this way of reasoning? It is this, that in spite of everything, women placed in this situation must live, must join in the *struggle for life*, and they prevail.

You perceive windows with the blinds half lowered, curtains draped one above another, relieved by the colour of the restraining loops, and only showing a corner of the window-pane, in which appear, as in a frame, a woman's head, and a hand which makes inviting gestures. In the evening a lamp replaces the

woman's head, and shines like a beacon. Men as they pass are accustomed to look closely at these mysterious windows. The children and young girls of the neighbours, who see this arrangement all the day long, must demand explanation of it from their parents. Some of the *maitres d'hôtel* let their windows, for which there are plenty of customers, at five or six francs for the afternoon, and as much for the evening.

This fine result is due to the police. Upon their *carte*, the women have read the following order: "They may not, at any hour or under any pretext whatever, appear at their windows, which must be kept closed and furnished with curtains." They have supplied the curtains and closed the windows, only in such a way that the obligation imposed by the police has become an advertisement.

In Brussels the police prohibited prostitutes from walking in the public streets after sunset. "This measure, which has been in existence for twenty years, has produced no useful result," said M. Lenaers in his Report for 1876. That we can understand.

In Brussels now, as in Paris, from seven to eleven in the evening, they have the right to solicit, limited by multiplied rules.

"They are expressly prohibited from soliciting any one whomsoever aloud or with pertinacity." Then they may use solicitation if it is in a low voice; and as to pertinacity, that is relative. They are forbidden "to remain stationary in the public streets, to congregate in groups, or to go hither and thither within too small a limit," but at the same time "they are forbidden to exercise their calling outside the quarter that they inhabit."

"They are forbidden to frequent lonely and obscure streets and places, as well as covered passages, the Boulevards from the *Rue Montmartre* to the *Madeleine*, the *Champs Élysées*, the old boulevards without the walls, the quays, the bridges, the gardens and approaches of the *Palais-Royal*, of the *Tuileries*, of the *Luxembourg*, the *Jardin des Plantes*, and the Esplanade of the *Invalides*."

What, think you, can the unfortunate do, subjected to all these restrictions, and unable to remain in the public streets except from seven to eleven o'clock? Certain quarters are prohibited to her, doubtless in order to leave a clear field for the prostitution called clandestine, and which is carried on there openly: good reasoning!

But you turn to the corner of a street; you see there three

or four women ranged like anglers with their rod and line ; so much the better for her who has taken the best place. They are stationary ; whither should they go ?

The *gardien de la paix* is quite near, and often has a chat with them. The woman firmly established on her piece of causeway says :

" I am in order, I have got my *carte*."

Every passer-by feels his clothes touched, if he is not taken by the arms.

" Listen to me, sir ; you will find that I am all right."

And the details ! This woman who solicits openly is the woman *en carte*, under control of the police which understands in this way its duty of protecting public morality in the public streets !

It is true that it only needs an *agent des mœurs* to pass that way when he requires to " make up the number," to get these unfortunates arrested.

Let us picture to ourselves the intellectual condition of a woman condemned to such an existence. Can she understand anything of the position created for her ? She must frequently ask herself this question : Since I *must* live by prostitution, why will they not let me practise it in comfort ? Every time that she steps out of doors, she does not know but that she may have to sleep at the police-station ; and on the morrow, for what length of time will she be locked up.¹

At the same time huntress and game, looking out for a client and an *agent des mœurs*, in rain, snow, and cold, a mark for insults in the corner to which she is fixed, subjected to the insults and invectives of legitimate wives who, proud of their title, see in her the woman who draws money out of the house and in exchange may send disease into it ; a butt for the brutalities of men who make it a pleasure to let the weak feel their strength ; feeling that she is penned up in a caste which is despised and below everything, she is the subject of every depressing influence that may lead to a brutalized condition, unless she tries to escape from it by revolt and flight.

The profound moralists who defend this system, speak thus :

Dr. Jeannel : " Registration gives to the prostitute a certain amount of liberty, strictly limited, it is true, but yet a real liberty, in the exercise of her infamous calling."¹

Dr. Adam Owre, of Christiania : " When we consider that

prostitutes pay very dearly for their board and lodging, we ought to facilitate as much as possible the exercise of their lawful trade to them."

II.

The unfortunate, traded upon by impositions of all kinds, haunted perpetually by the fear of the *agent des mœurs*, and during her detention at Saint-Lazare, robbed, plundered, and driven from her home, when she again finds herself in the furnished lodging whither the police pursues her, takes a last step: "It is inevitable, I will go into a tolerated house; I shall be quiet there, at least."

We shall see what sort of quiet this new mode of existence will bring her. If the police "perpetually cherishes the desire" of starting fresh tolerated houses, and surrounds their inmates with its whole protection, it nevertheless observes certain severe rules with regard to them. M. Lecour has with dignity reminded us that the police strives to prevent the publication of details which would outrage public morality.¹ In order to obtain this result, which to the simple-minded would superficially seem to be in contradiction to the purpose of the institution, an ordinance of 1824 prohibited "prostitutes in a tolerated house from sleeping two in a bed—that is, unless a client is one of the two." It was nevertheless shown, in the inquiry of the *Conseil municipal*,² that in the most luxurious houses, there were not as many beds as women. Mother and daughter, or two sisters who are minors, or even two sisters, one of whom has not attained her majority, may not remain together as prostitutes in the same tolerated house. A mistress of a licensed house, or a prostitute living there, is forbidden to keep her child with her after it has reached the age of four years. Parent-Duchâtelet solemnly tells us that "authorization was withdrawn from the mistress of a licensed house, because she had been found in the bed of a prostitute."³

The police prohibits the doing in some of the rooms of a house, what is allowed to be done in adjacent rooms. Mystery! Elsewhere it authorizes preparations for representations which would have delighted Voltaire, such as the *Tableaux vivants* of the Moulin-Rouge, a kind of moveable theatre which turns on a pivot in such a way as to show the actresses under numerous

¹ P. 141.

² 1877-1879.

³ T. I., p. 167.

aspects. The police settles what costume the women shall wear ; for reasons so profound as to be unattainable, it does not allow the same uniform to be employed in all the houses. Here, the women may be naked ; there, they must be dressed. Some may go to the opera and ball ; this is forbidden to others. Some houses are authorized to have women walking about to solicit passers-by openly ; others only have servants who place themselves on the door-step.¹ The least favoured must externally put on a modesty of the most savage description. The former make their fortune ; the latter are ruined, unless they find means of putting themselves on as good terms with the *police des mœurs* as their rivals. Business agents act as the go-between.

III.

As a complement to this, in most of the houses, at least in those which are "well kept," "where everything is done," a rule of the house defines the duties of the woman to the client. If he complains, she suffers the penalty ; it is compulsory *sadisme*.²

Luxurious and most comfortable reception-rooms ; emblems such as fish accompanied with the fish-hook delineated on all the chairs and stools ! Women, some of them having as their only garments a pair of striped stockings and a pair of embroidered boots, ornamented with colours that are bright and attractive to the eye ; some half clothed in a *peignoir* more or less transparent, and a fanciful dress, leaving the breast and legs uncovered ; some occasionally in full Parisian toilette, having a dress with a long train, producing the illusion as of great ladies in a drawing-room ; and it must be said that these bodies, assorted by the skill of the brothel-keeper, fair and dark, great and little, strong and slender, sometimes put into relief by a negress's bronzed skin, and surrounded by mirrors, carpets, draperies, ribbons, shining fabrics, sparkling jewels, their projected bosoms, sinuous loins, and bodies seeking the attitude which renders them more enticing, and shows off their advantages and peculiarities, make up a highly-coloured picture, full of irritating attractions ; only one feels a kind of uneasiness

¹ M. Gigot had prohibited this means of solicitation ; M. Andrieux dared not re-institute it ; M. Camescasse did re-institute it. It is in this way that the police understands the advance of public morality !

² Term derived from the Marquis de Sade, a licentious writer.

when, surmounting these bodies, are seen heads which have all of them the same red on the lips, the same white on the cheeks, the same kohl in the eyelashes, and the same rose on the *pommelte* (the prominent upper part of the cheek), like a uniform! Every one wears the same look of passive invitation. All lips smile the same smile, announcing the same promises of pleasures. One feels that individuality is blunted and crushed in all these women, who are ground down by the miseries of the past, by the tyranny of the police, and the discipline of the matron.

"Give them their choice, ladies," and they obediently come and offer themselves.

Then there is either rebellion, shown by impotent ill-humour, coarse recriminations, brutal requests for money, impudent bargaining, provocation of the matron, and speaking ill of their comrades, or else a conventional gentleness and discretion, and a complaisance ready for anything, and which, however vulgar it may be, knows how to disguise its venal side so completely that it goes so far as to produce the illusion of love.

I borrow from M. Goncourt's *Fille Eliza* a most life-like and exact description of one of those houses for soldiers which surround the barracks.

"At night the house with the big number, dull and sleepy during the day, was lighted up and flared through all its windows, like a house in which there is a conflagration. Ten chandeliers, multiplied by twenty mirrors let into the red walls, threw along the narrow, lengthy ground floor of the café a scorching illumination, traversed by rays of light and reflections, dazzling and blinding in their suddenness, an illumination which fell like a douche of fire upon the drinker's occiputs. Quite at the end of this long and narrow room, which had the indefinitely prolonged appearance of corridors of light in a vulgarized fairy palace, women, blended and mixed up together, and propped one against another, were gathered around a table in a kind of pyramidal heap which is crumbling away. From this heap of white linen and naked flesh issued continually fingers busied with a packet of common Maryland tobacco and rolling a cigarette. At one extremity, a woman seated sideways, with her legs up on the bench, and who by means of her back helped a little to keep the group from sinking down, was clearing the fleas off a cat that lay stiffly arched over one of her breasts in a defiant and coquettish animal attitude. A short white petticoat over a short-sleeved chemise composed the

entire toilette of these women, which, by the low-bodied fashion appertaining to linen intended only for night and the bedroom, showed their arms, the whole length of the neck from its commencement, and in some cases the down which darkened their armpits. All of them had, rising above two *accroche coeurs*, an extravagantly high head-dress, about which clung vine-leaves made of gilt paper. Many wore on their neck, next to the skin—an elegant custom of the place—narrow silk cravats, the long ends of which, rose-coloured or blue, floated down to between the breasts. Two or three had made themselves beauty-spots with the seeds of fruits.

"The *porte-persienne* of the café began to beat. The red-trousered men, taking their sabre-bayonets to their stools, and the helmeted men stumbling against their swords, took their place at table. As soon as one of them sat down, one of the women broke off from the group, and, humming a tune and taking her waist between her two hands, placed herself close to the new arrival, brushing the cloth of his uniform with her bare bosom.

"At the counter, surrounded by coloured phials, their colour reflected by the great mirror, the mistress of the brothel sat enthroned. Her grey hair, in which still lingered a pretty shade of paly-gold, magnificently dressed and shown off by the plaits which crowned it, the old woman sat, with something the look of an old stage marchioness, dressed in a robe like a magician's tunic, made of flame-coloured satin trimmed with gimp. Her husband, quite a young man with correctly shaped whiskers, a great gold chain dangling from his waistcoat, and looking delicate and charming in a hunting vest, the cut of which allowed the cobbler's 'bag of potatoes' to be seen in his biceps, stood with one elbow on the counter, and was engaged in making two little performing dogs jump over a long switch in his hand.

"The tables filled; military men of all branches of the service crowded in on each other. There were men of the line, zouaves, artillerymen, dragoons, carbineers. . . . Once even the door was opened, a waiter called the master of the house, and out of a little carriage was taken an invalid, who had lost both his legs, and whom the two men deposited on a bench. And immediately this glorious truncation, surrounded by cups and glasses, and soaked in coffee, liqueurs, and beer, and quite lively, although tottering on his *assises de poussah*, began to talk of his campaigns to the woman who came and seated herself by his side.

"Two waiters, with long black moustaches, ran about in every direction. Refreshments accumulated on the marble tables. Speech became noisy. Above the words of the infantry rose the imperious voice of the cavalry. From one end of the room to the other the sound of women abusing each other passed through the air momentarily. The red faces under the mens' shorn heads were the recipients of violent caresses. Arms of warfare were restlessly shifted about, and the tumult in the room was like the growling of anger.

"At intervals from the staircase leading to the rooms above, and accompanied by the sound of passionate tears, came the shrill voice of an old woman, crying out: 'We are supposed to have men here and not lions!' The heat became suffocating in that atmosphere of punch and burning gas, and drops of sweat on the women's skins, left black marks visible through the cheap paint which they use to make themselves look young.

"Those who went away were replaced by new arrivals, amongst whom there were some men in white hats and some in artisans' caps. More boisterous and obstreperous grew the orgie, in spite of the women's sleepiness.

"Women sat with their heads back, their hands clasped together under their half undone chignon, their eyes winking, and their bare armpits exposed to the air. Amongst the arms to be seen thus flying about was one on which was tattooed in great letters, 'J'aime' (I love), and underneath a man's name, defaced, scraped away, and obliterated, one day of anger, in the pain and heat of the burning, living flesh. Other women with one knee raised and locked in their two arms, and turned on their other side to the wall leaning against it, tried to keep awake by laying their cheek upon the wall's cool surface.

"For a moment, the sight of a piece of gold taken away by a waiter on a plate, shook off drowsiness from all these women. Each one of them in turn superstitiously gave the *louis* a little bite.

"But the night moved on. Little by little the tables became empty. From time to time some soldier, less drunk than his comrade, seized him in his arms, tore him from his place with brutal friendship, and went through the door fighting with him.

"Midnight at last. The shutters were closed. The gas was put out in the room. There only remained the light from the chandelier at the bottom of the room, under which, propped and held up by the women who were keeping them company, two or three incurable drunkards closed up; in a little while

joined by night walkers from the barrier, whom the night bell introduced at all hours.

"Then with darkness shrouding that part of the room near the outer door of the café, with an obscurity thick with tobacco smoke and with molecules from the sweating human forms that had been shut up there all the night, the women might be seen with sleepy movements, and with both the sunken look and greyish colour of a wounded bat trying to fly, covering themselves up with plaids, old shawls, or with the first rag that came to hand, and seeking the benches at whose foot there had been the least amount of spitting. Along these they stretched themselves out, inert, broken-down, and exhausted, like bundles of worn-out linen, in which there may be the outline which is no longer caused by the presence of a living body. They fell asleep directly, and when asleep, were from time to time awakened by their own snoring. Taken for a moment out of their troubled dreams, they raised themselves on their elbows, and looked about them stupidly.

"In the luminous picture at the bottom of the room, under the three Graces in gilt zinc of the stove, drunkards were gesticulating with two or three of their female companions, who were sitting astride on chairs, slumbering with their heads on the chair back, and their petticoats up to mid-thigh.

"Recollecting themselves the sleepers fell back again on the benches, and passed the night there until daylight, that is, until four o'clock in the morning, when they went to sleep in their beds."

IV.

However complete this description may be, something is wanting to it—that is, the description of the calling itself, with all its nauseousness, and the continual submission to men who are dirty, disgusting, drunk and brutal. In some of these houses, each woman submits to sexual congress fifteen, twenty, or twenty-five times every day. Numbered cheques are given to the men, and one succeeds to another. *La femme est un égout, elle ne joue pas d'autre rôle.* She is not acquainted even with the number of her men, which allows the mistress of the brothel to rob her in the matter of the number of her passes. In some of the houses which are relatively honest, she receives tin-cheques, which are counted up at the end of the month. At Mayence, in Germany, where the women have a sedate and

quiet air, listening to the piano, which a poor fellow strums on all the evening, and drinking beer, they take from their pocket, from time to time, a little housekeeping book, which they carefully produce on the day they count up their numbers.

The matrons are implacable.

"They never spare their women," says Parent-Duchâtelet.¹ "These unfortunates must either *work at home*, to make use of the trade expression, or else must go to the hospital. I have elsewhere recounted the means they employ during the period of menstruation. There is no rest for them; they must never refuse a client. Brothel keepers have been known to make use of vile manœuvres in order to bring on abortion in the girls from whom they derive great profits, and to give them for that purpose drugs of so active a nature that the girls have thought they were poisoned. In Paris only three or four brothel keepers can be counted who, when their girls are ill, will send for a doctor, and keep them at home until they are cured.

"It is not only in their own establishments that the brothel keeper's girls have to labour in their calling; they are lent out to other keepers on condition the favour is returned, or else for a settled price, like a cab proprietor treating with his fellow for a certain number of horses.

"They look upon them as slaves, or beasts of burden, that ought to bring them in so much daily. When speaking of a girl who for some reason is sought after, and attracts clients, they say that that girl works well. That is the only reason for which they get fond of any girl. They dismiss her without pity as soon as they can no longer make money by her."²

In the official report presented to the burgomaster of Brussels by M. Lenaers on the 1st February, 1876, he said:

"Isolated women who have a house to themselves enjoy a liberty unknown to prostitutes in brothels. They live as they like, receive whom they like, only prostitute themselves according to their own liking; they can regulate their own expenses, and are subject to no constraint.

"Women in brothels, on the contrary, are subject to numberless obligations. They are compelled, so to speak, to prostitute themselves to the first comer, however great their repugnance may be; to spend more money, and to submit to the yoke of the brothel keeper. Their liberty of action is very limited; they may not appear at the windows or doors of the house;

¹ Parent-Duchâtelet, t. I., p. 438.

² Id., t. I., p. 421.

they go out of doors but rarely, and then always escorted by a matron ; in a word, they have only that amount of independence which may be granted to them by the brothel keeper, who increases or diminishes this independence according to his or her own interests, and without consulting their preference or wish !” He says in conclusion : “Prostitutes must as much as possible be kept in licensed houses.”

V.

In Brussels people enter the licensed house, “the burgo-master’s house,” just as they would enter a theatre. At the door is a man who gives you a coupon for the sum of fifty centimes (fivepence). This coupon gives you the entry into a room more or less luxuriously furnished, where women, in very low-bodied dresses, partake of refreshments with the visitors, whilst they encourage them to make their more intimate acquaintance. In some houses the coupon gives a right to refreshments as well as to entrance. It is plain that the police omit nothing that may bring custom to the brothels.

The word Ryddeck means Herring Street. Antwerp is almost as proud of it as of her museum. Every Belgian takes care to advise you to go and see “Calypso’s grotto.” It has become a source of national pride. At each end of the street are police agents, whose duty it is to prevent the women leaving it. Within those limits, prostitution may do everything it likes, and this is what it does. Some establishments are carried on with more luxury than good taste. You enter a large saloon. There is an orchestra. Women are grouped together according to previous orders. In some of these places, many of the women dance together with the joyous air of a wretch condemned to the treadmill. When a stranger enters, a woman, more or less undressed, both above and below, comes and sits by his side. You are obliged in courtesy to pay for your right of entry. She tells you easily and naturally that upstairs there are rooms where she may be seen yet more undressed. All this takes place in a matter-of-fact way. The mistress and the *gouvernante* are looking on ; the waiters are serving out drinks, and the musicians are making a great noise with their wind instruments. Twice a year—at the Fête of Independence, and at the Carnival—the virtuous citizens of Antwerp bring their equally virtuous wives. You take your family there. The women who

live in the Ryddeck put on all their best to welcome their lady visitors.

At Rotterdam, "although prohibited in principle, the existence of licensed houses may be allowed by the director of the police."

When I go to Rotterdam, the representative of the *Hotel des Bains* talks to me, as he is taking me to the hotel, about the "amusements" which are open to me in the evening. I need no guide. Close to the passage I see two lanterns, red and green, and I hear the diabolical music, which sufficiently points out the *musicos*. I walk in that direction, and come in contact with a mob drawn together by the sight of a drunken woman lying close to the causeway. At this moment a young man offers me his services in English interspersed with Dutch, but with the words, "Fine women," which are sufficiently expressive of his meaning. I withdraw from his tiresome attentions. Behind a curtain, raised by the wind outside, an orchestra can be heard. I enter with timidity. In a room ornamented with paintings of marine subjects, I then see on a *parquet* (place adjoining the orchestra) of well-scrubbed deal five or six women, some of them in short dresses, with flesh-coloured tights, others in long dresses low in the neck. Some are dancing; others, seated around the stove, are chatting with persons who offer them something to drink.

The orchestra makes a great noise. An old man with a clarionet leaves the orchestra, and, coming in front of the counter, stretches out his hand. He is paid what is due to him. I have to take something to drink. I am served with something, no matter what, and then I am going away. I raise up another curtain. Here the women are not dancing. They sing each in her turn, and then in the intervals between the pieces they come and make proposals to the spectators. I continue my inspection. Almost everywhere else the women are dancing. When there are not men enough to dance with, they dance with each other. In many of these *musicos* there is a man at the counter, who pours out beer, receives money, pays money, sets the music going afresh if it stops, and watches to see that the *danseuses* are doing their duty. In some establishments the *patronne* shows an example and leads off the dancing. The men look gravely on. A few grossly indecent gestures and an obscene joke or two clearly define the situation. The women look at you with an inquiring eye. A little door, leading out of the room, gives passage from time to time to a

couple going out or coming in—a case of completed bargain. I see little boys of twelve and thirteen running about in one of these houses. They look as if they were employed there. In the street little girls mingle with women who are openly plying for hire. Elsewhere young girls are listening behind the curtain, and look out for the moment when the wind will raise it, so that they may get a peep at the picture. I stop for a few minutes in one of these houses. A young girl speaks to me in Dutch, and I do not understand her. I offer her some beer, and she accepts it ; but I see that she is in conference with the *patronne* and two or three other women. At last, I get up and am about to go. Then one of the women enters with two little girls, of whom one may be twelve and the other thirteen. They are shown to me with an air of pride, which evidently means : “We have made you out ! You see that we can get you what you want ! Here is your affair !” These little girls look at me steadily as if accustomed to these proceedings. This all takes place without any attempt at secrecy, before twenty or five-and-twenty people, male and female. I am astonished, but I must say that the *patronne* and the other women put on an air of much greater astonishment than I do, when they see me going away without listening to their proposals. The little girls look at me as if they had been very much deceived in me.

And I repeat to myself Article 8 of the Regulations, which threatens brothel keepers with all the severities of the law “in case of seduction or offence against the modesty of minors !”

One morning in August, 1868, at about ten o'clock, I was in Marseilles. After passing the old *Port*, and the *Port de la Joliette*, I was making my way up the hill which looks towards *Nôtre-Dame de la Garde*, through some steep little streets, along the middle of which a brook of dirty water was rushing like a torrent. All at once at a turning I saw something white pass along the street. Some moments of reflection were necessary before I could give myself a correct account of the nature of the object I had first seen.

There was no doubt about it—it was a woman in her chemise, which was very transparent, and very short both above and below. I went onwards, and there in doorways, in the street, in great rooms open in front, chatting together in groups, were women in babies' dress, their bosom open to the air, their thighs scarcely covered, and without anything on of any account save their boots. In the midst of this free-and-easy

were grocers' shops, bakers' shops, and matrons therein carrying on their business, without seeming to have any idea of what was going on around them.

In the evening, in the whole of this quarter, there is a dark crowd of men, from amongst which appear in striking contrast of colour the naked shoulders and arms of women; a tumult of excess, the licence of sailors in a merry humour; there are clamorous voices, invitations, solicitations, promises of an exciting nature, uttered with the whole strength of the voice, and recalling the tones of the ladies of the fish-market; there are the men's answers, and their practical jokes: and at a corner of the street I always see a worthy grocer's wife sitting on a coil of rope at her open door, enjoying the fresh air, whilst her little daughter is working at the counter.

In Antwerp, Rotterdam, and Marseilles, official prostitution is concentrated in special quarters, where it has sovereign sway. But around them, and beside them, there are families, women, and small tradesmen who go there to get a business together; and I ask myself, what can become of their children, brought up in, and saturated with, this putrid atmosphere!

VI.

With respect to the girl H. S——, who under the threatening aspect of Schröder, told detective Greenham that she was happy, Mr. Snagge says, "Like most of these girls, she was in an indifferent and hardened frame of mind. She seemed to look upon her fate as settled¹"

Most of them experience this deep disappointment. They may have resisted, may have clung to every projecting point that might retard their fall; they may have hoped to "find some one in earnest," with whom they might have "made out their own lot in life;" they have given way, bending under the weight of destiny, until some morning the last remnant of self-respect is overcome, and they wake utterly crushed, behind the blinds of the brothel. They feel above them the whole social organization, from the mistress of the brothel, who represents capital, to the police agent, who represents the whole social forces, and to the doctor, whom they look upon only as a kind of tormentor and gaoler. How can a girl rise again from

¹ *Report*, p. 13.

so low a position? The police agent binds to her shoulders the burden of debt which the brothel keeper has laid upon her. Who then will help her? Not the young man, nor the middle-aged, nor the old, nor the traveller, nor the runaway husband who goes there as he passes for his own physiological satisfaction, or for pleasures which it is clear he will not ask from his virtuous wife, and who, with his nose in his comforter, and his hat over his eyes, enters as if about to commit a crime, and makes his escape as if from some wicked deed, with the ruling idea of preserving his incognito. Neither will it be the drunkard, who comes to drivel out on her his last glass of wine, and to take her bosom as a softer refuge than the street corner.

All treat her as a sort of animal brought up as a means for pleasure, who ought to give as much as possible at the least possible expense : some with a certain reserved politeness, or disdainful coolness, others with coarse brutality. Some let loose the rein on their passions, but in such a fashion that the woman says to herself,

“Ah, these men, they are worse than we are !”

There are perpetually things which ruffle her spirits, make her retire more and more into herself, and depress her, and there is neither sympathy nor friendship for her ; she is at the bottom of the social scale, in a caste from which she cannot emerge, crushed down irremediably like a pariah.

Ready to serve the most disgusting requirements of her client, her submission is utterly servile. When, at her start in life, a prostitute has any wakenings towards independence and makes any opposition, the brothel keeper in a very quiet way says,

“Oh, a few months in prison and hospital will suit her. She will be a good girl in two or three years’ time.”

Whilst waiting for this result, she burdens her with penalties, and in some towns arranges with the police to have her sent to a house of correction.

The unfortunate has no resource whatever but the friendship of some woman as much ground down as herself, or, perhaps, the love of some man who has sincere affection for her, and who is tolerated in some brothels, with whom she goes out once a week, or once a fortnight, and upon whom she expends the feelings that her daily life forces back into her own breast ; but, alas ! what help can he be to her ? If he is worth anything of himself, he is stopped by this thought as a set-off :

"X—— is a good girl; but, unhappily, she belongs to a brothel!"

More frequently he is simply only an Alphonse,¹ who, far from being able to come to her assistance, only keeps her in the pit into which she has fallen.

The day is passed in the "hen-house," a room fitted up with cupboards made of deal; some of the women read, others do some embroidery work. Most of them, weary, cheerless, and enervated, are pre-occupied with the idea of the medical examination, and wait for the "merlan" (whiting)—that is, the hair-dresser—who adorns them every day for the evening's market. There is no intellectual life, nothing to supply them with energy. They sit in the gloom of the bolted venetians, after the prolonged watch and fatigue of the night. They have no out-of-door exercise; but in spite of long habit they experience a frequent nervous excitement. Disgust and satisfaction often alternate. In some houses there is a continuous absorption of Madeira, champagne, or beer; hence there results a disorder which makes their brain sing as if with bells that are cracked: with them half the brain is in a state of collapse, and the other in a state of intense excitement.

VII.

The result of registration is that it leads people to look upon prostitutes as creatures different to themselves, having another sort of body, nerves, and brains than we have. Parent-Duchâtelet devotes chapters to a study of "the height of prostitutes," "the colour of the hair of prostitutes." He treats of them as of a distinct species of animal.

Once they are engaged in the business, they experience the greatest difficulties if they wish to get their name taken off, and always remain exposed to the attacks of the police. M. Delavau, in *Paris-Guide*, quotes the following proceedings as an example of the morality of the police:

"It frequently happens that a man on the eve of marriage, seized with a terrible suspicion, the result of an anonymous letter, will come to the *bureau des mœurs* to ask, in the name of honour, for the truth as regards his betrothed; in the name

¹ *Alphonse*, a name derived from one of Dumas' novels, meaning a man who makes a living out of the prostitution of one or more women.

of honour, they refuse to enlighten him. Only as an honourable man must not be cheated, his betrothed is sent for and made to promise that she will sooner or later find some means of breaking off the projected marriage."¹

And how and by what right? Here is a woman who is going to rise upwards! the police get hold of her again and says to her, "You shall remain our chattel."

M. Lecour indeed is compelled himself to acknowledge that nothing is more difficult for a woman than to get her name erased.² The police opens its hands to seize, but never to set free. In Italy, in Belgium, wherever this régime is applied, compulsory examination of women is continuously carried on. Article 35 of the Italian regulations fixes three months as the limit of this obligation.

Article 13 of the Brussels regulations provides that the college of burgomaster and burghers shall see to the removal of names from the register. In England, the woman must address herself to a judge or to a visiting surgeon, who bases his decision on a report from the superintendent of police. The latter is obliged to act on the surgeon's conclusions, and such action is final. We shall see that the surgeon, convinced of the danger and permanence of the secondary symptoms of syphilis, can never consent to a name being erased, without acting the traitor to his business, and going against the purpose which he assigns to the system.

Carrying out the Acts has had the consequence of keeping women prostitutes for a greater length of time. Before the Contagious Diseases Acts the women scarcely ever remained prostitutes for more than four years, and almost all were quite young. 86 per cent. were under twenty-six years of age; 3·8 per cent. only continued their mode of life after they were thirty-one. Now, 46 per cent. are of greater age than twenty-six years, and the women above thirty-one years of age have more than quintripled, they number now 20·6 per cent.³

The police neglects nothing to obtain this result, for it would not be worth while subjecting women to the Acts one day and liberating them the next.

Mr. Ryder, J.P., mentioned the following fact before the Royal Commission of 1871 (Q. 8269):

"Take a case which occurred a very short time ago, of a girl

¹ *Paris-Guide*, t. II., p. 1882.

² P. 123.

³ Captain Harris' Report, p. 1878.

called Blewitt. An application was served on me to fix a day for her case being heard, in order to be relieved from the working of the Acts. When she came up she stated she had been a prostitute, but had abandoned the life, and had gone to live with a person in a private house. The police had followed her there and had made inquiries day after day about her. The effect of it was likely to have driven her back on the streets again."

There is the history of an unhappy servant girl who was obliged to go every fortnight for two years, in secret, for medical examination; and I had a letter from a poor woman who was driven to address me by the need of a confidant that is common to those who have a distressing secret, and who seek help from some quarter. She was in the situation just mentioned; and her letter ended in this way:

"What shame I should feel if I were to be found out, if the people where I live, and who are very worthy people, should discover that I have been deceiving them, by letting them think that I am virtuous!"

Every one has seen a poor woman walking with two wooden legs on the *Boulevard des Capucines*. She was a prostitute *en carte*. She had met with a lover with whom she lived, and who took her from her old calling. But the *agents des mœurs* do not let their prey free in this manner. One day she saw them entering her house. In her terror she threw herself out of the window and got her legs broken on the pavement.

The partizans, themselves, of the *police des mœurs* are forced to recognize the fact that "prostitutes remain but a little time in the exercise of their calling, and, so to speak, pass in it no more than"¹ five or six years at the most, four years, three years even, on an average, according to statistics drawn up at Strasburg and Bordeaux.² When once they have been driven to the calling, the greater number have only the wish to leave it. They all dream of a man "quite to themselves," a husband, and a trade. Registration, by bringing upon them the scorn attached to a caste marked with infamy, and by opposing all kinds of obstacles to their enfranchisement, results in maintaining them in a condition that the partizans of the system look upon as a base condition.

M. Nicole states that in Egypt, it is an everyday occurrence for the European prostitutes to rehabilitate themselves, gaining

¹ Parent-Duchâtelet, t. I., p. 89, 121.

² Jeannel, 263.

a lover or a husband, and enjoying a usual amount of respect. He says that one of the causes allowing of this change of situation, is "the absence of any mark of disgrace officially imposed upon public opinion."¹

In the same way at Japan, where the prostitutes are not looked on with opprobrium, and are often daughters of priests, of *yamabos*, they mingle in general society, and easily get married after giving up their profession.²

Mr. Sheldon Amos³ makes the exceedingly good observation that in our western civilization, as a result of the fact that it is men who have hitherto formed traditional public opinion, it has been the custom to look upon vice in men as a trifle which does not merit our consideration unless it be to justify it as deriving its reason for existence from the unalterable laws of nature; whilst the same vice amongst women, almost always occasioned by the vice of men, has become the inexhaustible subject of numerous volumes of scientific (and I will add), "moral" dissertations, full of holy indignation on the part of those who are emasculate like Origen, or hypocrites like Tartufe. Parent-Duchâtelet speaks with sanctified satisfaction of the way in which public women despise themselves. He is enchanted with the fact that they know how to keep themselves to their own class, and that they depreciate themselves still. *Esprit de corps*, the idea of the common interest, and identical situation with regard to the police, must be rapidly produced, and is produced in fact; and "the gulf is ever widening more and more between the prostitute and other women."⁴

I know that in England some of the partizans of the Acts have brought them forward as a punishment for despising the Divine law, and at the same time are obliged to confess that their (the Acts) result is to protect the men who violate that Divine law. We are not surprised at the inconsistencies amidst which we live. The greater part of them derive their strength from the vested interests resulting from the possession of place. Nevertheless, I put the following question to the supporters of the *police des mœurs*:

Does not progress consist in the intellectual and moral development of humanity?

¹ Nicole, *La Prostitution en Egypte* (*Ann. de méd. lég. et hyg. publ.*, p. 208, 2e série, 1878).

² *Ann. d'hyg. et méd. lég.*, 2e série, 1878.

³ *Les lois pour la réglementation du vice*, French trans., p. 26.

⁴ Sheldon Amos, *Loc. citat.*

It is difficult, I think, to say that progress consists in the contrary ; but, then, I turn towards you who are defenders of the system, organizers of a caste of pariahs, and I ask you : "How, then, do you dare to defend a social institution of which the result is the intellectual and moral degradation of a section of humanity? for you confess to this: Ten or twelve unfortunates secluded from the world, without occupation, without an interest in anything, cloistered in the obscurity of rooms often dirty and infected, their only resource consisting in quarrelling amongst themselves, or in obscene conversation, and at the first outbreak of revolt struck like slaves by the mistress or her bully, must fall into a condition of moral putrefaction."¹

Dr. Mireur himself says, when speaking of the *fille en maison*, "that she is the modern slave who, having made the sacrifice of her own individuality, has become the chattel of the matron and the property of the public."²

He adds that "death cuts down nearly all these women in the flower of their age. The hospital is almost always the fatal bourne for *filles des maison*. Profligacy gave them a living yesterday ; to-day it gives them their death."³

The organizers of official prostitution brand prostitution with epithets which I do not at this moment appreciate. They declare that a procuress is a terrible woman, and that the woman who makes a practice of polyandry is carrying on a shameful trade.

These premises having been well laid down, they come to the conclusion that it is necessary to protect the procuress, and to organize the trade.

They organize it by assisting in getting recruits for the licensed brothels, and by keeping the women whom they have sent there in a state of seclusion.

In consequence of the system, centres of moral infection are created, spreading corruption amongst the women sent there, the clients who go there, and the surrounding population.

Its result is the formation of a caste of pariahs whose degradation is considered to be a useful result.

¹ Sheldon Amos.

² P. 279.

³ P. 280.

CHAPTER EIGHTH.

OFFICIAL PROSTITUTION AND THE LAW.

- I.—The *Capitulaires*—Ordinances of 1684 and 1713—Message of the Directory—Dumolard's Order of the Day—M. Voisin's Argument—Laws of 1789, 1790, 1791—Article 471—Article 484—M. Sigismond Lacroix's Argument—Repulse of the Police—Vivien—Faustin Hélie—Retrograde Movement—M. Beudant—Decree of the *Cour de Cassation* of 1847—Right of Examination—"It follows from that"—"Suspected Animals"—Article 23 of the Decree of Messidor—Slaughtering.
- II.—Public Health—"Question of Common Sense"—"Heap of Dirt"—"Question of Scavenging."
- III.—Principles of our Common Law—Penal Code—"Les Actes quasi Delictueux."
- IV.—Cunning of the Police—Contract between the Woman and the Police.
- V.—Violation of the Law—Judicial Subtleties—The Magistracy and the Police.
- VI.—Lawfulness in Italy—In England.
- VII.—Examples—The Eyben Affair—A "*Cause Grasse*"—Ordinance of No Jurisdiction.
- VIII.—The Question of Law—Irresponsibility of Officials.
- XI.—History of a "*Femme Galante*."

I.

What is the text of the Draconian laws which the *police des mœurs* in France and Belgium can appeal to in order to arrest and imprison women, condemn them to physical examination, inscribe their names on a register, subject them to multiplied obligations, forbid them the right "of coming and going" freely, and devote minors, children, to prostitution?

There is none !

The *police des mœurs* recognizes this fact itself.

M. Voisin, at the present time a councillor at the *Cour de Cassation*, when M. Sigismond Lacroix and myself had the indiscretion to ask him what law he could appeal to in favour of the system, answered that he had prostitutes examined and inspected, in virtue of a peculiar and personal right with which

the lieutenant of police, whom the prefect of police had succeeded, had been invested by the ordinances of 20th April, 1684, and 26th July, 1713.¹

In the *procès verbal* the first phrase of the prefect of police is not found, for he had exclaimed, "In virtue of the Capitularies of Charlemagne!" He affirmed this right, and emphasized it by an emphatic blow of his fist on the table, a proceeding which only provoked a burst of laughter.

Nevertheless, on the 17th Nivôse of the year IV., this right did not seem to be very clear to the Directory, for it took the sense of the Five Hundred upon a message asking it to make a repressive law against prostitutes.

"The repressive laws against prostitutes consist of ordinances fallen into desuetude, or in police regulations purely local and very unconnected. The law of the 19th July, 1791, placed in the number of offences, subject to the correctional police, the seduction of young persons of either sex, and it indicated the penalty; but this provision is properly applicable to the infamous trade of the dreadful creatures who corrupt and prostitute young persons, and not to the licentious life of these women, who are the opprobrium of one sex, and the scourge of the other.

"The Penal Code of the same year, and the new Code of Offences and Penalties, are alike mute upon this important subject."

A commission was nominated; but it seems that its labours got on but slowly, for on the 7th Germinal of the same year, citizen Bancal, a member of the council, proposed "to create a commission for the purpose of drawing up a law having reference to the brothels which in so lamentable a way made inroads upon the population, its health, and modesty, and spread diseases of the most dangerous kind to the human species."

This proposition was received with murmurs.

M. Voisin made use of these murmurs in constructing a legal argument:—

"The lawfulness of the ordinances in question has been implicitly recognized by the Council of the Five Hundred. This assembly had, in fact, had a proposition brought before it on the 7th Germinal of the year V., for making a special law for the regulation of brothels. The Council of the Five Hundred, after one of its members had observed that there existed very precise police regulations on this matter, and that it was only necessary to put them into action, rejected this proposition by the *ordre du jour*. The member making the report has in it omitted to point out this important consideration, which considerably weakens the weight of the arguments drawn from the memorandum presented by the executive Directory to the Council of the Five Hundred. In fact, by passing purely and simply to the *ordre du jour* (progress to be reported), the Council of Five Hundred

¹ *Conseil Municipal de Paris*, 2nd December, 1876.

recognized the fact that the powers exercised by the police in Paris were the result of royal ordinances, which had determined the functions of magistrates over the police of this city. Hence the reproach cast upon the Prefecture of Police, that it is illegal and arbitrary, has no foundation.”¹

I confess that I had not perceived so many things in the murmurs of the Council of Five Hundred, and that the text of citizen Dumolard’s apostrophe, which brought on the *ordre du jour*, does not seem to me to give any great value to the ordinances of 1684 and 1713: judge by the following extract:—²

“The previous speaker’s intentions are praiseworthy, but the ideas proposed to us are petty, and unworthy, it seems to me, of the legislative body. *Monastic rules* should not be brought forward before the law-makers of a great people; the abuses named do exist . . . the disorder is real . . . but they are, perhaps, inseparable from the existence of a community such as that in which we dwell. Besides this, there are very precise police regulations . . . let them be carried out . . . I demand the *ordre du jour* . . .”

Citizen Dumolard’s opinion, which does not even refer to the ordinances of 1684 and 1713, is sufficient to give them force in the eyes of a prefect of police. The astonishment with which his nomination to the *Cour de Cassation* was received, does not surprise us.

It is true that the police appeals also to article 484 of the penal code, combined with the laws of the 14th December, 1789, the 16th-24th August, 1790, and the 19th-22nd of July, 1791.

This latter contains a special provision for good morals, which the message from the Directory mentions.

Offences punishable by means of the correctional police shall be :

1st, Offences against morals . . .

Article 8.—Those who are accused of having offended against morals by an outrage on a woman’s modesty, or by exposure or sale of obscene figures, of having abetted fornication, or of having seduced young people of either sex, may be arrested at once, and taken before the *juge de paix*, who is authorized to detain them until the next audience of the correctional police.

Article 9.—Persons who have abetted fornication, or seduced young people of either sex, shall be punished with a year’s imprisonment.

Nothing in these transformed and abridged provisions gives the prefect of police the right either of making arrests, or of registration. Article 10 (clause 1) simply says the police

¹ Sitting of the 2nd December, 1876.

² I quote from M. Lecour, because he has been careful to cut it in such a way as to give it the greatest weight possible.

officers "may likewise enter at all times into houses notoriously kept for purposes of fornication."

Article 50 of the law of the 14th December, 1789, concerning municipal powers is thus conceived :—

The special function of a municipal power is to insure to the inhabitants the advantages of a good police, notably those of cleanliness, healthiness, security, and tranquillity, in the streets, squares, and public buildings.

The law of 1790 adds that, "a good police includes the care of repressing and punishing offences against public tranquillity, and the maintenance of good order in public places."

There is not in the text of any of these any reference to prostitution, or any authority for a régime such as is that of the *police des mœurs*.

But admitting that the regulation of prostitution, when carried on in the public streets, enters into the functions of municipal police, in this case, the prefect of police in the *Département de la Seine*, the mayors in other Departments, may make regulations or arrests, the non-carrying out of which constitutes an infraction of the regulations of the ordinary police tribunal, punishable by a fine of one to five francs, in virtue of Article 471 of the Penal Code: "Those who infringe the regulations made by official authority, and those who do not conform to them, shall be punished by a fine of from one to five francs."

But the Prefecture of Police appeals to another writing, namely, Article 484 of the Penal Code. Now the text of this is as follows: "In all matters which have not been regulated by the present Code and which are ruled by particular laws and regulations, the Courts and tribunals shall continue to observe such laws and regulations." This article, far from being the justification of the *police des mœurs*, is its formal condemnation; for what does it say? It says that the particular laws and regulations for matters not regulated by the Code, must be observed; but by whom? By the Courts and tribunals. Now, does the chief of a police office constitute a Court or a tribunal?

However infatuated the police may be on the subject of its power, it cannot sustain its pretensions.

Such was the method of argument carried on by M. Sigismond Lacroix against M. Voisin.

We ought to say that M. Voisin's successors have affirmed less; M. Gigot seemed to have no great confidence in the legality of action of the *police des mœurs*; M. Andrieux troubled himself very little about it, but announced that he should ask

for a law on the point ; M. Camescasse said, " that it would be necessary to give to the regulation of prostitution a certain and legal basis."¹ He owns in addition that from a lawyer's point of view we may criticise what is done in the matter of prostitution ; but whilst waiting for something better, we must do what we can."

The police claims a right to the plea of extenuating circumstances. Besides, M. Vivien, an ex-prefect of police, says in his *Etudes administratives* :

" This summary and exceptional justice, which is unique in our legal institutions, is founded on ancient regulations and long usage ; its execution is not disputed, and in a time when all our institutions have been called in question, not a single complaint has been heard against this exercise of a power *which does not rest upon any written law.*"

M. Bathie says on his side, in his *Traité du Droit public et administratif* :

" Infractions of the regulations are punished by imprisonment, and sentence is pronounced by the prefect of police after seeing the written evidence drawn up by the inspectors charged with this part of the service. The injury to individual liberty, which we have defined as ' the right of not being arrested save in virtue of an order which has its origin in justice,' above all consists in this. *These powers, against which no one protests, are derived from writings which do not contain any such powers.*"

M. Faustin Hélie, the great writer on criminal jurisprudence, and honorary president of the *Cour de Cassation*, distinctly says :

" With respect to prostitutes, we shall speak here only of the simple right to arrest them, and detain them arbitrarily ; there is no provision whatsoever which gives the administration such a right. Whatever the position of these women, they must be under surveillance ; but they cannot be arrested when they are not committing any punishable offence. We cannot recognize a class set apart, which is outside common rights, and for which the laws have neither support nor protection ; we cannot recognize in the Administration any other rights than those which the Law bestows on it."

But much more than this : the ordinances of 1684 and 1713 do not even give the *police des mœurs* the right of committing the acts so customary with them.

The ordinance of 1684 grants " the lieutenant of police the

¹ Sitting of the 10th December, 7th Commission.

right to send to the Salpêtrière, women of bad character and public prostitutes by means of sentences passed at the proceedings which they are instructed to take." But as too many abuses were thus brought about, the declaration of the 26th July, 1713, concedes to them certain guarantees¹ "against denunciations inspired by the hate of particular persons rather than by love for the public good."

"Neighbours must sign their declarations, and take the oath; the cases are assigned to the ordinary days of police hearings, and are decided after opportunity for cross-examination; the lieutenant of police may order a fresh information; there may be appeal to Parliament."

None of these ordinances has any foretaste of medical examination. We have gone ahead of the arbitrary power of Louis XIV., and the Regency.

It is true that in the discussion of 1876 at the Conseil Municipal, M. Beudant, professor of law in Paris, defended the lawfulness of these measures on the basis of Article 51 of the law of the 14th December, 1789, which we have quoted above, and on a decision of the *Cour de Cassation* of the 3rd December, 1847, which serves as an inestimable prop to the *police des mœurs*:

Seeing that under each of these aspects (security, order, and morality) this matter enters amongst the objects confided to the vigilance and authority of municipal corporations, that it is attributed to them exclusively by the provisions of the laws of 1790 and 1791;

Seeing that the police about the brothels, as well as those about persons who make a business of prostitution requires *not only provisions of quite a special kind* in the interests of security, order, and morality, but also *especial measures from the public-health point of view*.

M. Beudant concludes: "It is possible that the police has no right to arrest, detain, and sentence women; but in virtue of Article 50, the right of medical inspection cannot be contested, and the end includes the means. How could this inspection be carried out without these preventive and repressive measures? In default of an actually written law, do we not see that there is here an interest of a higher order which overrides everything: namely, the impossibility of allowing a prostitute attacked with disease to wander at large?"

All this in virtue of Article 50, and of this little word, "health." This argument made an impression, but in two different directions. Some said, "M. Beudant is an able man. What insight!" Others said to themselves: If this proposition

¹ See Chapter Second, p.

is correct, to-morrow morning all the *maires* may order all French citizens, with their wives and children, to submit themselves to medical inspection ; for in their scrupulous solicitude for health, they must find that "it is impossible to allow inhabitants attacked with disease to wander at large !" M. Beudant ought to be the first to submit himself, with his family.

This way of arguing reminds me of those judges of the good old times, who, in order to learn whether a man ought to be hung, used to begin by making him suffer the ordinary and extraordinary torture.

Upon this method the *police des mœurs* of Belgium also takes its stand.

It quotes Article 96 of the communal law :

"The surveillance of persons and places notoriously existing for purposes of prostitution is the duty of the College of Burgomaster and Burghers.

"For this purpose it takes measures proper to secure public safety, morality, and tranquillity.

"The Council makes such regulations in this matter as it considers to be necessary and useful."

Hence the police concludes that it has the right to make inquiries, to place on the register, to lock up, and to encourage debauchery.

It has on its side, it is true, a decree of the *Cour de Cassation* of Brussels.

One day the ordinary police tribunal of Brussels, having delivered a sentence which invalidated this unquestionable right, the *Cour de Cassation* did not fail not to quash it : "Seeing that," it said, "official registration, as well as the sanitary proceedings which are ordered to be taken, are police measures undertaken in the general interest, and the purpose of which is to submit girls already fallen and notoriously acting as prostitutes to the surveillance of the local authority and to sanitary precautions, without which the public health would be seriously compromised, it hence follows that these measures are applicable not more to adults than to minors, if notoriously living in prostitution, &c."¹ M. G. de Molinari asks if this "it hence follows" is not rather arbitrary ? By putting the authority of a police regulation above that of the *Code Civil* in this matter, has not the *Cour de Cassation* put things in their present position ? Let us suppose that the communal administration, after having consulted the hygienists, comes to the conviction

¹ *Journal des Économistes*, 1877. *Congrès de Genève pour l'abolition de la prostitution*, p. 380.

that it is indispensable to use the pole-axe to prostitutes who are seriously diseased in the same way as is done for the cattle plague, is it not evident that this decree would have to be obeyed in preference to the penal code? From the instant that the general interest of public health demands it, "it hence follows" that the use of the pole-axe may be ordered, as well as official issuing of tickets to prostitutes, and compulsory sanitary inspection as a police measure. Is not this rigorously logical and necessary? Let us add that if official registration at the *bureau des mœurs* is less efficacious than the pole-axe, it is impossible to deny that in return it is less cruel.¹

M. de Molinari thought he was speaking ironically; he was mistaken.

The expenses of the Paris dispensary are carried to the account of the *Conseil Municipal*, in virtue of Article 23 of the Decree of Messidor. When I saw mention of this, I was astonished, and hastened to make myself acquainted with the aforesaid article, which is thus conceived:

"It will secure the healthiness of the city by taking measures for the prevention and arrest of epidemics, epizootics, contagious diseases . . . by detaining and inspecting animals suspected of contagious disease, and slaughtering those attacked by it."

Women are only "animals" whose slaughter is not only allowed, but placed amongst necessary expenses!

II.

Dr. Mireur made this theory complete:

"No one can dispute the right that society has of sacrificing the interest of a small number to the interest of the masses."² Marat said things analogous to this.

It is the theory of public health. M. Camescasse stated "that the regulations concerning prostitution might appear somewhat arbitrary and odious to certain minds;" but he added: "It is no longer a question of right, but a question of common sense!"³ M. Camescasse, being a lawyer, ought to assume to be a law-abider.

The *Temps*, a paper which is supposed to be liberal, says:—

¹ *Journal des Economistes*, October, 1877, p. 380.

² *La Prostitution à Marseille*, p. 130.

³ Sitting of the 10th December, 7th Commission.

"The working out of the matter is entirely left to the arbitrary power of the *agents des mœurs*. Can it be otherwise? We do not know it, but in reality the condition of things is this: these agents concentrate in themselves the initiative of the *sergents de ville*, the powers of the police commissaries, the privileges of the functionaries of the court of justice, the learning of the judges, and the authority of the correctional tribunals: they make inquiries, statements, accusations, pronounce sentence, and even carry it into execution. And this is inevitable; solicitation being neither an offence nor an infraction of law: prostitution in the public streets is placed, by the police regulations, on the same footing as the accumulation of mud, of which it is necessary to sweep the streets clean, the blocking by vehicles which must be checked, the stationary conditions of foot passengers, who must be made to move on; we do not draw up statements against the mud, nor bring the carts before the correctional police, neither do we prosecute the foot-passengers unless they resist."¹

So that women are "animals;" also "an accumulation of mud." These things are said with a great want of gallantry. M. Gambetta, from the height of his presidential seat, writes: "It is a question of sewage." The same idea; for these people there are women who are only things, and not persons.

Then let us see of what unlawful acts the police are guilty in the name of "the interest of a higher order," of the "common sense" of the police, of its pretensions to protect "morality, and public health," in virtue of the traditional powers of the lieutenant of police.

III.

We have certain principles of common right, known in France under the name of the Principles of '89, formulated in the Declaration of the Rights of Man, and recalled many times in our Constitutions.

Article 1.—All citizens are equal before the law.

Article 5.—Anything which is not forbidden by law, cannot be prevented by law.

Article 6.—The law must be the same for all, whether it protects or punishes.

Article 7.—No man can be accused, arrested, or detained, except in the

¹ 20 Juillet, 1881.

cases determined by law, and according to the forms prescribed by law; those who ask for, abet, or execute, or cause to be executed, arbitrary orders, must be punished.

This last principle was affirmed anew by the Constitution of the 22nd Frimaire, year VIII., article 77, maintained by article 615 of the *Code d'instruction criminelle*, and confirmed by the Constitution of 1848, article 4, and by the *Cour de Cassation*, decree of the 7th September, 1817.

The Penal Code sanctions these provisions:—

Article 114.—When a public functionary, agent, or government inspector has ordered, or done, any arbitrary act in contempt either of individual liberty, or of the civic rights of one or more citizens, he shall be sentenced to the punishment of civil degradation. If he allege in justification that he has acted by order of his superiors for objects in their jurisdiction, and that he owes his superiors hierarchical obedience, he shall be exempt from punishment, which shall, in this case, only fall upon his superiors who gave the order.

Article 119.—Public functionaries charged with administrative, or judicial police duty, who have refused, or neglected to allow, a lawful appeal, whose purport is to prove illegal and arbitrary detention, whether in houses kept for the detention of the arrested, or anywhere else, and who shall not prove having notified them to the superior authorities, shall be punished by civil degradation, and condemned in costs, which shall be regulated according to article 117.

Article 341.—Those who, without orders from constituted authorities, and except in cases where the law orders the seizure of the accused, have arrested, detained, or put into confinement, any persons whomsoever, shall be punished by hard labour for a period.

Article 342.—If the detention or confinement has lasted more than a month, the punishment shall be hard labour for life.

The *Code d'instruction criminelle* specifies that no one can be arrested unless taken in the act of crime, or in virtue of a mandate to bring him up to trial, delivered by the *juge d'instruction* (*Inst. crim.*, art. 91, and follow.)

In consequence, every arrest that is made outside of these cases is illegal by coming under articles 114, 119, 341, and 342 of the Penal Code. The prefect of police is not excepted from the operation of this code any more than the others in whose hands authority is placed.

According to article 93, the *juge d'instruction* ought to examine the person detained, in twenty-four hours at the longest.

No one may be kept in confinement except in virtue of a mandate of arrest, or of detention.

We have seen that there was not one of these provisions which the police had not violated in a flagrant manner.

It is also matter of principle that no functionary may unite

in himself the function of minister of police with the office of judge ; that debates ought to be in public ; and that judgment ought to be conducted not in a partial manner, but after hearing both sides.

A *chef de bureau* sits in judgment, behind closed doors, on a report from the police, and condemns a woman to an imprisonment, the duration of which depends only on his good pleasure. Gisquet gave sentence for punishment extending to a year, and we have seen that under M. Gabriel Delessert, a month was the minimum of punishment, and that this proceeding had been taken in the interest of the contractors for the prison works, in order that the prostitutes might finish the work that had been given to them.¹ We have also seen that M. Lecour has invented "acts, so to speak, *quasi-délictueux*, which refer to thieving, cheating, and abuse of confidence, when the complainant runs a race for infamy with the woman whom he accuses ; acts that one may imagine, but which cannot be expressed in words, where obscene actions are entangled with misdeeds which provoke appeals of a repugnant nature, but well-founded. What can be done ? impunity would augment the evil."

Under this jargon, we understand that the *Diligence de Lyon* is an "*acte quasi-délictueux*," and that the great police-judge intervenes to chastise this cheating ! When the woman promises, she must keep her word ! This must be in the name of police morality ! Does the police also prosecute the *poseur de lapins* ?²

IV.

But the police is very cunning, and in order to justify itself, attempts to dodge the law, with the help of some such principle as the following :

"In making these women, when they are put on the register, subscribe to a declaration and engagement to fulfil certain obligations imposed upon them, the principal object kept in view has been to give a *kind of legality* to the punishments that it is continually necessary to inflict on them ; hence the importance of making them append to this declaration their signature, or their mark for those who cannot sign their name."³

The police is guilty of abuse of confidence by usurping functions not its own, and by creating belief in an imaginary authority of its own ; and, to escape from the Assize Court, it takes refuge on the benches of the correctional police.

¹ Parent-Duchâtelet, t. II., p. 190.

² "*Poseur de lapins* : " *homme qui va chez une femme et qui, après avoir obtenu ses faveurs, ne la paye pas.*

³ Parent-Duchâtelet, t. I., p. 356.

V.

The police is intrusted with the care of maintaining order ; it even assumes to itself the mission of watching over our morality. I do not ask so much of it, but say that there is no worse condition of disorder than a state of things in which there has been a systematic violation of the law on the part of the police, and toleration of this on the part of the magistrates!¹

The police commits all these illegal acts with impunity. It has known how to make the magistrates, little by little, its accomplices and servants. A keeper of the seals, a *procureur* of the Republic, has often had before him proof that in the police service things occurred which were as monstrous as they were illegal ; that the police committed crimes, but no one had the boldness frankly to raise the question and to issue a warrant of arrest against these authors of sequestrations, detentions, offences against modesty committed on children, and encouragement of minors to lead a life of profligacy.

When, on the 2nd November, 1876, I wrote the article in the *Droits de l'homme*, which raised the question in France, I had sufficient acquaintance with journalism to know that the offences of the press are never anything but offences of epithets and metaphors. I wanted to be violent in my language, so as to make the public share my indignation ; but I knew perfectly well that the suppression of two or three epithets, without weakening my article, would have prevented any prosecution. I did not leave them out, for I said to myself : " They will never dare to bring the *police des mœurs* before the tribunals."

Although I had been long acquainted with the legal world, I was too simple. I was prosecuted. I had even prepared a speech for the defence, beside that of my excellent advocate, M. Grouslé. I imagined that I should be allowed to put the question as to the ground of the legality of the *police des mœurs*, but the *ministère public* took good care to avoid that. After the first few words, he declared that he would not go into that question. Was it contestible or not? That was not his business ; but the agents were regularly commissioned. I had insulted them in the discharge of their duty, and so I was

¹ P.

guilty, and that they proved to me very well by sentencing me to six months' imprisonment for having said that the agents committed illegal acts, as to the nature of which the *ministère public* dared give no opinion !

I confess that even now I do not understand these subtleties of the law. It seemed to me that all that I had to say was this : "Gentlemen, I have said that there are certain persons who are committing certain crimes. These persons prosecute me for my words. I thank them for having given me the opportunity to denounce them, for if you have not up to the present prosecuted them, it is because you were ignorant of the facts. Now that you are acquainted with them, you are going to dismiss me from my position in the dock to put those in my place who have sent me there."

I soon saw my mistake. The magistracy, it appears, only prosecutes for crimes which are committed by simple individuals. There is a freemasonry between all those persons who are charged with the carrying out of the law. They consider it as their own property. Instead of being the agents of the law, the law becomes their very humble servant. They will attack me or you fiercely if we touch the law with the end of our finger. As for themselves, they will tear it up by handfuls, and use the leaves to *couvrir leurs besognes*. It is the old tale of the weak crushed by the strong, the individual by the ruler, the ancient conception of the social condition : on the one side, masters, on the other, subjects, the latter always responsible, the former, never !

This was well seen in Belgium in the proceedings against the brothel keepers. The magistrates had from the first openly taken the side of the police. M. Willemaers, *procureur du roi*, treated Mr. Dyer worse than a procurer. M. Janssen, *avocat du roi*, constituted himself the resolute defender of MM. Lenaers and Schröder. A well-merited punishment ! These gentlemen laughed at the tribunal, for the police has no greater pleasure than to play tricks on its protectors.

On the 29th February, 1880, the law court of Brussels made an official descent on a house in the *Rue Saint-Laurent*.

This descent took place at about eleven o'clock in the morning. M. le *procureur du roi* put several questions to Schröder, the commissary of police, concerning these houses ; he asked him, "Have you not girls under age in these houses ?" "Not one, not a single one," was M. Schröder's reply, "and for the rest, there is not a word of truth in what MM. Dyer and Splin-

gard have said." To which M. *le procureur du roi* answered, "Very well!"

The interview over, M. Schröder hastened to relate this incident to M. Lenaers, his chief. When M. Lenaers heard the question put by M. Willemaërs, that is, whether girls under age were not to be found in these houses, he turned of a livid hue and sank down in his arm-chair, overcome with terror. When he came to himself, he cried out, "Be quick and go to such and such houses, get together all those there who are under age and bring them to me."

On that same day, the 29th February, 1880, a cab traversed the streets of Brussels. M. Schröder, the *commissaire des mœurs*, was rushing about in this cab for the purpose of hastily removing from the houses, No. 2 *Rue de Diest*, No. 5 *Rue du Persil*, and No. 3 *Rue des Commerçants*, the girls under age who were to be found there, with the authorization of the police.

On the same day, the Brussels police transmits to the tribunal its signed report, certifying that there was not a single girl under age in the brothels!

I said just now that the magistracy protected the police; I am mistaken, it obeys the police.

VI.

In Italy, certainly, there is a law; but, doubtless in virtue of the old tyrannical customs of the country, where for so long a time the police has been invested with supreme power, this law seems to have no other result than to give the police the right to make despotic regulations.

In England, the land of individual liberty, the police is mistrusted.¹ That is the beginning of wisdom, but it sprung out of the Contagious Diseases Acts. We have seen that these Acts entered into a good many details to specify the powers of the police; none the less for that has their consequence been the violation of all the English criminal laws. Whilst the law holds the accused innocent until his culpability has been proved, it is sufficient that a superintendent of police declares "that he has good reason to believe" that such a woman, whom he names, is a common prostitute, for her to be made an outlaw, subjected to examinations and imprisonment.

¹ See Sheldon Amos.

Mr. Sheldon Amos, in his great work, "Regulation of Vice," and Mr. Shaen in his report at the Congress of Genoa, and in his deposition before a Committee of the House of Commons, have, by their arguments as to points of law, held up to well-merited scorn these pretended laws, which are only attacks on the essential laws which form the basis of the system entitled the English Constitution.

VII.

Two examples will point out the monstrous abuse of authority of the *police des mœurs*, the absence of responsibility of officials, and the complicity with this institution, of people who pretend to be liberal, democratic, and enlightened.

The first is that of Mme. Eyben.

This affair gives too complete a view of the manner of proceeding of the *police des mœurs*, and of the way in which our politicians look at this question, for me to omit any of its details.

On Tuesday, the 29th March, 1881, at four o'clock in the afternoon, a woman was waiting at the end of the *Passage des Panoramas, Rue Saint-Marc*, for her children, two little girls, who were being brought to her from school. She was dressed in the modest fashion of a *mère de famille*.

All at once she heard a person cry out gaily,

"Let us arrest this pretty child," as if he would have said, "Let us get some fun out of this,"

She was immediately surrounded by six individuals, all with a more or less marked gallows-look, who seized hold of her. She cried out, protested, ran into a passage for refuge. She said,

"I shall complain to M. le Baron de Beyens!"

The Baron of Beyens is the Belgian Ambassador in France.

The agents sneer at her, and drag her to the police station in the *Rue Villedo*. This fine piece of fun was an operation of the *police des mœurs*. The man in command was a sub-brigadier of the *police de sûreté*, named Féau.

Mme. Eyben reiterated her protestations at the station. The brigadier affably said to her,

"Whilst we are waiting for you to complain to the journalists and to your ambassador, you must go to prison!"

At eight o'clock in the evening she is led on foot, and held closely by two *gardiens de la paix*, to a station in the *Rue Riche-*

lieu, and then taken before the commissary of the *Rue Richelieu*. He interrogated her in that pleasant manner peculiar to the police, which certain commissaries think themselves obliged to observe:

"Your profession?"

"Dramatic artist."

The commissary responds with perspicuity,

"Yes, as a matter of chance, and then you practise prostitution."

Mme. Eyben protested. Then, with amiable irony, the commissary resumes:

"I well believe that this shocks your modesty!"

Mme. Eyben spoke of her children.

"It wanted no more than that, that you should prostitute yourself before your children!"

Mme. Eyben was shut up *au violon*. When they get hold of any one, they do not let her go easily. The commissary sends out to obtain information about her from her home. This attention merits a good mark.

She is again brought before him at half-past ten. He is more polite. He has made them return to her her neckerchief, umbrella, pocket handkerchief, and money. Honest *agents des mœurs* begin by taking everything. It is so much gained.

Then she says in her simplicity:

"I can return home?"

Not at all. She is taken to another station, where she is again put *au violon*. Half an hour after midnight she has to get into a van containing cells, which is going its rounds. At three o'clock in the morning she reaches the *Dépot*. There she is shut up in a cell.

The Wednesday passes. No news. Thursday is passing away. At last, at seven o'clock in the evening, forty-eight hours after her arrest (a singular thing, showing the perturbation of the *police des mœurs*), instead of taking her to the dispensary, she is conducted to the police court. There she finds a deputy magistrate, M. Laffon, who says to her:

"You are accused of insubordination to the police agents!"

Naturally. Police agents arrest a woman under the most illegal conditions. This woman does not repress a movement of astonishment. To our thinking, she would have been right in expressing her indignation.

She has committed no offence. She cannot be prosecuted. But the police, which has not only committed an illegal act, but also a grievous mistake, must not be in the wrong.

As Mme. Eyben confesses that she protested, the substitute gravely answers :

“You were in the wrong !”

In other words, suffer yourselves to be seized, ill-treated, killed, by the police ; if you breathe a word, you are guilty !

I am not exaggerating matters.

The substitute adds :

“If you had let yourself be taken without saying anything, they would perhaps have let you go.”

Such is the notion of personal liberty that our magistrates are obliged to have.

Then the substitute ferrets out the private life of Mme. Eyben.

He says :—

“It seems that you go home at all hours.”

“Because I am a dramatic artist.”

Mme. Eyben's sister and children are brought into court.

“We will go,” murmurs the substitute, “the police has again put us into an awkward fix.”

On the morrow, Friday, at two o'clock, after some conversations between the bench and the prefecture of police, Mme. Eyben was set at liberty.

On the Saturday she was brought up again for a second interrogatory. She appeared before the same substitute. Naturally it was necessary to save the police at any price ! He received her with the words :—

“Confess that you were there for an unusual purpose !” (*but insolite*).

What is an unusual purpose ? Is there such an offence as “an unusual purpose ?”

The substitute adds :

“An individual states that he told you a week ago to move on !”

Now Mme. Eyben had not been at the *Passage des Panoramas* for more than three weeks, because one of her children was ill.

We see in its full development the system of the subordination of the magistracy to the police : to hide the infamous deeds of the police, the magistrates are forced to back up their slanders conscientiously. It is in this way that it interprets protection of its citizens.

On the 10th of April there was a full attendance at the Chamber of Deputies. All the politicians of Paris made rendezvous there. Many ladies, naturally enough. The debate

on this day was upon a question addressed to M. Andrieux, but had no reference to the arrest or detention of Mme. Eyben, the subordination of the magistracy to the police, or the unlawfulness of the *police des mœurs*. A woman who is arrested hardly counts for anything in France, where we are still without respect for the law, and for personal liberty!

For the production of this question, it had been necessary for M. Andrieux, in a fit of despair, to transform into active conflict the struggle existing in a latent state between him and the *Conseil municipal*.

The Minister of the Interior had rebuked M. Pascal Duprat, the author of the question, for having indulged in personalities. M. Andrieux ascended the tribune to take his part through right and wrong. Such has always been his method of discussion: to attack persons who cannot defend themselves, to affirm without proof, to tell lies wittingly, to utter calumnies boldly, and count upon his audience as accomplices! This had answered with him on the 9th July, 1879: it had also answered on the 27th May, 1880. M. Andrieux repeated himself.

Hear what he said on this day. Every phrase is copied from the *Officiel*. We have only abridged his speech.

M. Andrieux begins:—

“You have all of you read letters signed by the woman Eyben, letters written at the dictation of journalists that I could name. The public has been pitying the history of this woman, whom it calls a virtuous *mère de famille*”

M. Andrieux went on in this tone for three or four minutes, and then concluded:

“You will now see whether Mme. Eyben has been the victim of a mistake or not.”

And then, quoting a police report which he even falsifies in order to intensify it, he extracts the following passage:—

“Upon the complaint of several shopkeepers, a look-out on this passage was kept up, and on the day aforesaid, the two watchers of this same passage pointed out to the police-agents the woman Mercier, *veuve* Eyben, who was walking to and fro in the passage. After having proved three fruitless solicitations. . . .”

The report contained the term “discreet.” M. Andrieux skipped this extenuating epithet. Some murmurs arose then; but “numerous voices from the centre and the left,” so says the *Officiel*, cried out: “speak! speak!”

It is such an amusing spectacle to see an unfortunate woman taken to pieces on the tribune in this way by a prefect of police!

M. Gambetta, with that coarse southern contempt for woman which likens her to a chattel, comes and takes in hand the matter of the *police des mœurs* and M. Andrieux :

"When the institution, the purpose of which is to cleanse the common sewer, is attacked, it is necessary that it should be able to defend itself!"

Strong in the approbation which he had already met with on the 9th July, 1879, fortified also with the noisy approval of a worthy deputy named Lelièvre, who was totally unknown until that day, M. Andrieux recounts in order the details of this arrest:

"Addressing the police agents, she then replied: 'I am a Belgian; I shall be claimed by a baron who will get you dismissed.'"

The *Journal Officiel* states that there was "hilarity and prolonged murmurs" caused by this delicate insinuation, which it was very clear was aimed at the Belgian Minister, M. de Beyens! M. Andrieux proceeds to make an insinuation in very good taste against a journalist, and bears testimony in the following terms to the gentleness of his agent's proceedings:

"As she refused to walk, they had almost to drag her to the station."

And then he speaks of "inquiries" having resulted in "information of a deplorable kind." But this he passes by, "because men's names would be unavoidably mixed up with this affair." We know that Mystery¹ should be discreet. He adds "that the shopkeepers in the passage who had assembled together showed themselves very favourable to the agents, and requested them to persevere in the arrest of the woman Mercier, *veuve* Eyben, whom they knew to be in the habit of soliciting."

He also invokes the authority of honest M. Lenaers, the chief Belgian commissary, of whom we have already spoken.

Many of the deputies were delighted with the prefect of police for having dished up for them a bit of scandal. There were attitudes like that of using a fan when in presence of something going on that is rather indecorous.

M. Andrieux was triumphant.

M. Henri Brisson, in a phrase somewhat too discreet, drew from this incident the conclusion, "that it would be unsuitable to the dignity of Parliament to bring before it a debate on the budget for the prefecture of police."

¹ See Guyot's *La Police*, 1884, p. 57, where M. Andrieux uses the name "Mystere" as his incognito, in *la maison de la rue Duphot*.

That is all. . . . No one thought of this woman, this mother, whose name would, on the morrow, be cast by the papers to all parts of the world as that of a prostitute by profession. No one protested against the reading by the public of these police reports, made by persons interested in justifying their deeds, issued without limit, and without any opportunity for the accused woman to defend herself.

What was taking place during all this time? On the eve of putting the question at the reiterated demand of the prefect of police, the *procureur* of the Republic had taken the affair in hand, and a *juge d'instruction* had Mme. Eyben brought before him daily. Why was this? To justify M. Andrieux. It was not to be dreamt of that Mme. Eyben was to be found guilty of prostitution or offences against public morality. The matter was to prosecute and sentence her for insubordination.

But the *juge d'instruction*, M. Martin-Sarzeau, had learned his task by heart. He confronted Mme. Eyben with the *gardiens* of the passage. They did not recognize her. He confronted her with the shopkeepers of the passage. They did not recognize her. He obtained information in Paris and Belgium as to the antecedents and present mode of life of Mme. Eyben. They had no correspondence with the calumnious reports of M. Andrieux.

Nevertheless the *procureur* of the Republic dared not put himself in opposition to the Prefect of Police. He could not disturb the honest and lawful institution of the *police des mœurs*. The bar was perplexed, and in a state of expectancy. During this time, Mme. Eyben could enter into no engagement for the theatrical season. These are little details which do not occupy the attention of the magistrates. This condition of things lasted for two months. The tribunal had taken the law papers from the *juge d'instruction*, whom it considered too independent, and yet concluded by asking for a decree of no jurisdiction. Mme. Eyben, on the advice of persons who took an interest in questions of personal liberty, such as M. Mayer, editor of the *Lanterne*, and M. Eugène-Delâtre, now a deputy, addressed to the Chamber of Deputies a request for authority to prosecute M. Andrieux. The commission decided in favour of authorizing the prosecution, and intrusted with the report M. Peulevey, advocate at Havre, a man of very moderate views and language. The debate took place on the 18th July, 1881.

Coming into the *Salle des Pas-Perdus*, I found M. Hérisson,

deputy for Paris, who said to me, speaking of the Eyben-Andrieux affair :

"That has no longer any interest, now that Andrieux is gone."

M. Andrieux knew that by sending in his resignation the night before, he should produce this impression on a good number of deputies. He was well acquainted, by having made a bad use of it himself, with those detestable politics having reference to individuals, which constitute the most formal proof of the scant development of our political customs. M. Andrieux is no longer the Prefect of Police ! Then the questions of personal liberty and of security of citizens, which he raised and endangered, have no longer any interest ! The Empire falls ; moral order falls ; institutions remain ; and we think that all is over !

Our study of politics is like our reading a romance. We have a passion for the hero and against the traitor ; some, even, by a singular depravity of taste, have a passion for the latter. When shall we construct a Social Science ?

It is the defect of too great amplitude of discussion, that no one was willing, at any rate during a sitting, to look into the profound questions springing out of this Eyben-Andrieux affair.

M. Rameau and M. Cazot, keeper of the seals, tried to narrow it down to a strictly judicial discussion. M. Peulevey, who reported on the case, defended the conclusions at which he arrived in his report as well as the powers of his mind and attainments allowed him to do ; but the Chamber wanted to be amused. It was a "rich case." The Chamber, during that hot weather, wanted to laugh. M. Peulevey declares that "under the régime of the *police des mœurs*, if a man makes a rendez-vous. . ."

You can hear the joy of the Chamber from this distance ! Some of the deputies split with laughter. This word, with a double meaning, is so droll ! M. Peulevey repeats his phrase. The bursts of laughter continue. He, however, manages to say :

"If men made a rendez-vous with their wives or daughters."

These deputies see dancing before their eyes a crowd of lively images, which rejoice them to an unconscionable extent. Would they be equally merry if at this rendez-vous they were to find their wives and daughters in the hands of the *agents des mœurs* ?

That sort of thing does happen. M. Andrieux said so very

distinctly ; that sort of thing will happen as long as there is a *police des mœurs*.

The deputies who especially distinguished themselves in this way were precisely those about whom scandal told the most tales.

M. Peulevey, none the less, showed that a public functionary could not escape from responsibility because of his quality of deputy.

M. Cazot, keeper of the seals, in whom the opinion of a professor of law had given way to the opinion of the minister, maintained two propositions :

“ If you authorize the prosecution, what will you do with the Prefecture of Police ? ”

So that all prefects of police ought to be deputies ? Every prefect of police ought to be held irresponsible, whatever he did ?

M. Cazot did not perceive the consequences to which this first point led him, but he did not shrink from the consequences of the second :

“ What I am defending is, not only the public functionaries of the Republic, but of every Government.”

Alas, this is the theory of the supremacy of officials, of their omnipotence over the citizen, and of their irresponsibility ; it is the theory maintained by all despotisms, all oligarchies and bureaucracies, and, in spite of our Republican designation, the Government of France is still only a bureaucratic power, to which the ministers who uphold it are subordinate. This is their punishment !

M. Cazot declares dogmatically, that Mme. Eyben would not be able to make use of authority to prosecute if it was granted to her ; but the Chamber had not to judge of this question. It is not in its functions to decide questions of procedure and legal interpretation. M. Cazot spoke beside the question and not to the question.

The instant the keeper of the seals descended from the tribune, M. Andrieux began to speak. In his style of youthful impetuosity, he declared that he requested the Chamber to vote for the authorization to prosecute. He immediately went on to say, it is true :

“ I have nothing to fear according to the theory of the keeper of the seals, who will continue to shelter me, and will never give his *procureur general* authority to prosecute an official, whether being or having been such, however great may have been his abuse of power ! ”

On the Right there was applause, coming from old officials and ministers of the Empire and of moral order, whose presence on the benches betokened the permanent irresponsibility of the governing class in France. The cause which at that moment M. Cazot, and M. Andrieux defended, is the theory invoked for sheltering such as Emile Ollivier, Rouher, the Ministers of the 16th May, De Fourton, and De Broglie. They or their friends, in applauding MM. Cazot and Andrieux, were applauding the fact of their own impunity.

On the 11th April, M. Andrieux had read at the Chambers, when the sitting was over, a report from his agents, which did not belong to the judicial proceedings.

The falsity of all his allegations had been demonstrated. Yet M. Andrieux began again. He, however, affirmed less, proceeding by way of insinuations.

"Mme. Eyben went to the *Passage des Panoramas* to look for her children. Does a woman go to the *Passage des Panoramas*, a place having the worst name in all Paris?"

The Chamber had made out allusions in the simplest words of M. Peulevey. M. Andrieux sought for allusions of a scandalous nature. He scored them under, and acted them! . . . It was shameful!

Some of the deputies laughed, finding these parliamentary proceedings charming. Yet there were those, not only at the extreme Left and amongst the Republican Union, but even in the Left Centre, who protested, crying, "Shame!"

A murmur also was heard:

"And the Rue Duphot? and Mystère?"

"You shall prove that at the tribunal," cried some of the deputies.

"You dishonour the tribune!"

M. Guillot (*de l'Isère*) protested loudly. M. Gambetta approved of M. Andrieux's parliamentary proceedings. They made him laugh with the unctuous laugh of a Rabelaisian Gascon. They amused him, and he showed once more the idea he forms as to the level which the Chamber of Deputies, representing France, ought to attain, and as to the protection which the citizens ought to have against calumnies to which they can make no reply.

M. Andrieux, after his insinuations, worked upon the well-known hatred of most of his colleagues to the newspapers. He

¹ See note, page 178.

spoke of speculations, committees, and Barnums. What did he understand by that? A newspaper speculation, working up what? the feeling of justice, the idea of right, and respect for the feeble and oppressed! Ah! M. Andrieux must profoundly despise this sort of speculation. It is entirely beyond his powers. Besides, he thinks that there are others which are more profitable. Committees? He meant to indicate associations for the defence of personal liberty. Barnums? This epithet doubtless was applied to such men as John Bright, Jacob Bright, Stansfeld, Shaw-Lefevre, Lord Derwent, the Lord Mayor of London, and members of the House of Commons and of the English Government, who find that the question of consideration for women, even the most dishonoured and abandoned, is one which is not beneath their attention!

M. Andrieux, quoting a passage from an account in the *Lanterne*, all at once stopped short and only began again in a hesitating manner. This was just because the passage which he was on the point of reading contained a comparison between the way in which the English Parliament, and that in which the French Chamber of deputies treat these questions. Amongst foreigners our politicians have the reputation of not being in earnest. We must own that if we judged of the French nation by such sittings as that one, we might think that it is but a collection of rudeboys.

The *Lanterne* had said that the magistracy was subordinate to the police. M. Andrieux had just asserted this subordination very loudly. He declared that the *Procureur de la Republique*, before delivering his judgment of non-jurisdiction had said to him:

"Do you wish it? If you do not wish it, well then, we will prosecute Mme. Eben."

If the Keeper of the Seals had had any feeling of the dignity of the magistracy, he would have immediately interposed to give M. Andrieux the lie.

At last M. Madic-Montjau ascended the tribune. With all the weight of his authority he showed what a singular part M. Andrieux's parliamentary immunity played.

On two occasions did this latter, from the summit of the tribune, come and string together accusations against Mme. Eyben, without her having any opportunity of speech for her own defence. If M. Andrieux had not been a deputy, legal pleadings would have ensued, and an answer would have followed the attack.

Voting took place, and prosecution was negatived by 324 votes against 91 !

What does this vote show ?

Indifference of legislators in the matter of guarantees for personal liberty ;

Powerlessness of the chamber to rise from the personal to the abstract question ;

Contempt for woman, a contempt which always asserts itself in corrupted centres, and with a low state of morals ;

And the deep, absolute conviction of all officials, past or to come, of all ministers, past or present, and of the great majority of deputies, that all rulers, great or little, ought to enjoy absolute irresponsibility !

VIII.

The judicial theory merits our whole attention. Quoting Article 10 of the law of the 28th April, 1810, on judicial organization, and Article 479 of the *code d'instruction criminelle*, M. Cazot showed that the *ministère public* alone could put public action in motion for such officials as prefects, prefects of police, &c. The *procureur général* alone can direct prosecutions. In case of refusal on his part, the plaintiff, it is true, has the right of addressing himself to the court, which may order them if the chambers are unanimous.

Article 75 of the Constitution of the Year VIII., which protected officials, has indeed been abrogated by the decree of the 19th October, 1870 ; but this latter has in no respect modified the provisions of the law of 1810 and of Article 479.

If the official only commits an offence, and is not protected by the aforesaid articles, the person injured may prosecute him ; but as arbitrary arrests and detentions and violations of the dwelling are crimes, the bench alone can set justice in action. Hence we must conclude that the means of protection that the citizen has is in inverse proportion to the gravity of the act done to him, and the importance of the official who has committed it.

This is not all. The prefect of police arrests you, and violates the sanctity of your dwelling. That is an abuse of administration, an act of high police. Prosecute him now ; he takes an *arrêté de conflit*. The case is carried before the *tribunal des conflits*, the impartiality of which is assured (!) by

the presidency of the keeper of the seals ; and the people who complain that they have been injured are properly non-suited in every claim. Article 75 is abrogated on paper ; in fact, officials are always irresponsible.

M. Batbie, in 1810, brought forward the proposal for a law tending to alter this condition of things. Unhappily, as an old promoter of the "*gouvernement de combat*," he perhaps had no sufficient authority to speak of liberty with authority. In any case the project was useful ; and we assisted at this singular scene, when it was defended by the Right and rejected by the Left (9th February, 1882). The religious organizations have had to complain of the abuse of power, which, up to that time, had scarcely been exercised on any but Republicans and Radicals. These organizations demand that the guilty shall be held responsible ; and the Republicans and the Radicals to a great extent, alas ! who have looked upon these Acts with satisfaction, find it quite a natural thing to back up a legislation which, yesterday, was almost exclusively directed against them, and which to-morrow may again turn against them.

For the majority of Frenchmen, liberty—is the right of arresting other people !

IX.

Now, let us listen to the tale told by a "*femme galante*," one who acknowledged herself to be such, one who was intelligent and had money, and the wish to free herself. She had been arrested at home, in her own dwelling, at ten o'clock in the evening, no one being able to accuse her of making any scandal in the public streets. She attributes her arrest to a lodger in the same house, whose advances she had repulsed, because she found that his close neighbourhood would have made a scandal.

"I was arrested, taken to the station, and confined in a dirty *violon* ; next day to the *depôt*, then to inspection. There I passed through a crowd of people, agents and doctors, who looked at me with a stare as if I had been some curious animal. They also took down a description of me. I was submitted to medical examination : 'Ulceration of the neck of the womb.' I was sent to Saint-Lazare. The doctor was good-natured ; I had money, and was favoured in consequence. In ten days, I was sent back again to the dispensary, with the recommendation to say that I had been at Saint-Lazare for a fortnight. A

week or a fortnight mattered little. I could not have been cured in that space of time. I was examined again; then I was passed from office to office. I had to sign registers and papers without being told anything. I thought they were simple formalities for setting me at liberty. At last an employé presents me with a ticket.

“‘Sign this.’

“I understood then: this was what these gentlemen call ‘voluntary inscription.’ I rejected the ticket.

“‘Never.’

“I was released all the same. A week after, they sent an agent to me with a paper which ordered me before the prefecture, and I was again presented with the hateful ticket. I refused it.

“I was told: ‘It is for the 23rd. Take care and come up for examination before the time expires.’

“What was I to do?

“I went to consult persons in whom I place confidence. They said to me:

“‘Put yourself at once out of reach of the *police des mœurs*, for if you were to remain in Paris, the police might, to frighten you, arrest you again, and detain you indefinitely.’

“‘Really?’

“‘Yes, it is a power which long usage and long impunity have given the Prefect of Police.’

“‘But that is dreadful! I shall go to Brussels.’

“‘Do not go there. Brussels, which does everything like Paris, has also its *police des mœurs*. The police of each place help each other. The police officer in Paris may write to his colleague in Brussels:

“‘“See if you have not in Brussels a woman whom I wanted to put *en carte*, who bethinks herself of commencing an action at law against me, and of making a noise about it. Have the goodness to convince her that she will be no better off in Brussels than in Paris. You would oblige me by giving her a bad time of it, by way of return.”’

“‘And he will do this?’

“‘This is the kind of little service which is not refused to a colleague.’

“‘But that is terrible!’

“‘It is so.’

“I did not know what to do. So then I was not free at home to do quietly what I wished? I do not belong to myself! If I wish to have one or more lovers, I must have the permis-

sion, the authorization of the police ! It puts my name on the register and gives me a ticket ! It submits me to obligations which I do not accept, and there is nothing to be done ! If I go from one city to another, I shall find this same police again ; and as the police in Brussels will know that I am an insubordinate, they will do their colleagues in Paris the service of persecuting me !

"I turned all these reflections over in my head. I did not quite understand all these combinations. Why not let people alone ? That would be so easy ! And if they persecute the women, why do they not persecute the men ? I was advised to go and see an advocate. He made me enter into details which seemed to me to be very unnecessary.

"Nevertheless I gave them. It was decided that he should take out a summons. I made an appointment with him for the next day at the *Palais de Justice*. He was to get me a bailiff there. It seems that it is very difficult to find a bailiff who will consent to serve a summons on the Prefect of Police. I understood that. It is a daring thing to attack a man who can do whatever he likes with you !

"I went to the Palais at the hour named. The advocate was robbed. He came to me, very polite and gracious for the rest, but he said to me :

" 'We cannot prosecute the Prefect of Police as he is a deputy, and is protected by Article 10 of the Law of the 20th April, 1810 ; but we can prosecute M. P——, the commissary of police ; we can prosecute M. Caubet, &c. ; we can prosecute M. Macé, the chief of the *service des mœurs*. They have broken the law. Then, when it has been shown that the law has been broken by them, we can come again on the Prefect of Police.'

"My advocate directed his secretary to take out a summons. The secretary took it out for the next day. In this summons he declared that MM. Macé and Caubet had violated the general principles of common law which exist in France, that they had violated Article 76 of the Constitution of the Year VIII., and Article 291 of the Law of 1854 concerning the *gendarmerie* ; and that they had made attacks on personal liberty, coming under the penalties formulated by Article 114 and 341 of the Penal Code. I already saw MM. Macé and Caubet at the galleys, and the Prefect of Police following them. I began to feel pity for them, and was ready to ask for their pardon !

"Furnished with this project of a summons, I was taken to a solicitor. It appeared that out of the one hundred and fifty solicitors of the Department of the Seine, he was the only one who was bold enough to dare to take such a business in hand. He cast a glance at the proposal for a summons, and immediately exclaimed: 'But this is impossible! There is no possibility of doing anything in this way. If MM. Caubet, Macé, and Andrieux had only committed an offence, we could prosecute them; but they have committed crimes. Now, action in a criminal matter only belongs to the *Ministère public*. You cannot prosecute directly. You have no other resource than that of addressing a complaint to the Procureur of the Republic.

" 'And then he will prosecute?'

" 'He will put the complaint in his paper-basket, in the name of the principle of authority.'

"The principle of authority, do you see, is far superior to all laws, in our beautiful land of France! Before everything that must not be disturbed. An official breaks the law; that is of little importance. Laws are made to protect officials, and trouble private individuals, under the superior authority of the magistrates. A magistrate can never look on the violation of a dwelling by the police, an arrest without warrant, or an arbitrary detention, as a crime. We have seen this a thousand times when the question was one of politics. Now it is a question of the so-called *police des mœurs*. The magistracy will think that the illegality is covered by prescriptive right and custom; the abuse of crime justifies crime.

" 'That is most astonishing. I thought that the laws were made for everybody.'

" 'That shows your simplicity,' said the solicitor to me, with a little impudent smile.

"Then he added—'I shall think over this business of yours. We shall see if we can bring it in any way before the correctional tribunal, or have recourse to civil jurisdiction. Come again to-morrow.'

"I went again the next day. Before making any explanation, he made me put down 200 francs (£8), and then said to me:

" 'Now write the following letter to the Prefect of Police.' He dictated a letter to me, addressed to the Prefect of Police, in which I requested him to erase my name from the register, telling him that I would not accept his ticket.

"Then the solicitor, like all the world, added, that whilst waiting for the answer, I had only one thing to do—namely, to leave Paris in order to remove myself from the range of action of the Prefect of Police, who could arrest me when it seemed good to him, and detain me as long as he liked. I saw no other solution of the difficulty than to set out for London. French law and justice are fine things!

"But I had money, I was in no difficulty, and I had experience of life. Put in my place a poor young girl, without money, and without experience, a little work girl, say a virgin; she becomes the chattel of the police when it pleases the police that she shall be its chattel!"

Conclusion.—If it is difficult for a French citizen to obtain justice against an abuse of power, it is entirely impossible for a woman.

Those even who would seem disposed to defend her, do not take up her claims in a court of justice with earnestness.

CHAPTER NINTH.

OFFICIAL INCITING OF MINORS TO A LIFE OF PROFLIGACY.

- I.—Legal provisions—Marriageable girls—Sixteen years—M. M. Lenaers and Buls—Scape-goats.
- II.—Protection of the brothel keeper.
- III.—Children.
- IV.—Hypocrisy of the police—Legal sale of a minor by herself!
- V.—Necessity of insuring the rights of private individuals.

I.

The *police des mœurs* not only breaks all the laws relating to individual liberty, but also breaks those of another order.

The French Penal Code contains the following provisions :

Article 331.—For an indecent assault, consummated or attempted, without violence on a person of either sex, who is under thirteen years of age, the punishment shall be imprisonment.

Article 332.—Any one committing an indecent assault, consummated or attempted, with violence on individuals of either sex, shall be punished with imprisonment.

If the crime has been committed on the person of a child under fifteen full years, the criminal shall be punished with hard labour for a term.

Article 333.—If the guilty persons are of a class having authority over them, if they are officials, or if the guilty person, whoever he may be, has been assisted in his deed by one or more persons, the punishment shall be hard labour for a term, for cases provided for in Article 431, and hard labour for life in the cases provided for by the preceding article.

Article 334.—Whoever offends against morals by habitually inciting, abetting, or facilitating the profligacy or seduction of the youth of either sex under the age of twenty-one years, shall be punished with imprisonment for from six months to a year.

Article 421 of the Italian Penal Code contains analogous provisions.

Article 379 of the Belgian Penal Code of 1867 is a reproduction of Article 334 of the French Civil Code, with the addition of the following provision, added in 1846, "to satisfy the passions of others."

The regulations of the 20th Vendémiaire Year XIII. (12th October, 1804) contained the following: "No girl shall be

registered who does not appear to be marriageable." The lawyers of the Prefecture of Police have hence deduced the profound conclusion that they had the right to register girls who were about sixteen years old.

M. Delavau had at first fixed the minimum age for putting girls on the register at eighteen; but he saw that this was too high a figure, and he put younger girls on the register. M. Debelleye, by a decision of the 20th March, 1828, fixed the age of registration at seventeen. M. Maugin made it twenty-one years, but he reconsidered his decision, and himself put quite young girls on the register.

Parent-Duchâtelet considers that the age of sixteen years is the legal age;¹ it is the age adopted by the Italian regulations for the reception of young girls into licensed houses.²

From 1816 to 1832, out of 12,550 registered prostitutes, 2,843 had been registered before they were eighteen years old; 6,274 before the end of their twentieth year.

In the decennium 1857 to 1866, out of 4,097 prostitutes newly registered in Paris, they computed that there were:

Women of more than twenty-one,...	...	2,743
(or about 67 per cent.)		
Minors, ...	...	1,354
(about 33 per cent.)		
		4,097

Of these 1,354 minors, there were 302 under eighteen years of age, and 1,052 above that age.

At Bordeaux, in a period of six years, from 1855 to 1860, out of a total of 1,004 prostitutes, 206 had been registered under the age of twenty-one.³

Look at the official return of the numbers registered in Paris as minors.

Minors of eighteen years completed (page 346):

1855	...	...	...	...	...	182
1860	...	...	...	...	...	80
1865	...	...	...	...	...	76
1869	...	...	...	...	...	65
1872	...	...	...	...	...	160
1873	...	...	...	...	...	188
1874	...	...	...	...	...	174
1875	...	...	...	...	...	149
1876	...	...	...	...	...	115

¹ T. I., p. 363.

² Art. 60.

³ Jeannel, p. 331.

But there are those who are under eighteen.

Minors under eighteen years of age :

1855	...	...	...	...	...	75
1860	...	...	...	...	...	20
1865	...	...	...	...	...	13
1869	...	...	...	...	...	22

After the war the police redoubled its zeal.¹

In Belgium, M. Lenaers, in his Report on the 1st February, 1876, had made registration of girls under age, lawful :

"She must not only be punished for the action," but also registered, says he ; so that to punish a girl for having prostituted herself, she must be condemned to prostitute herself still more. In virtue of this reasoning, to punish a thief for having stolen, we must condemn him to steal always ; to punish an assassin for having committed murder, we must force him to multiply his assassinations !

We have already seen that the Belgian police has carried its zeal in this direction so far that it registered not only minors who were prostitutes, but even minors who were virgins. A decision of the *Collège Échevinal* gave the police every latitude in this respect, as M. Schröder stated during the proceedings against the procurers.²

The Bench, it seems, were ignorant of the fact that the offence was committed in a permanent and open way in the city of Brussels, and wrote to M. Buls, acting burgomaster, to ask an explanation from him.

M. Buls answered by a letter of the 13th December, 1880, in which, after quoting Article 96 of the Communal Law, which assigns to the College of Burghers the duty of taking such measures as are suitable to secure public health, morality and good order, and of making to this end such regulations as it judges necessary and useful, he went on to say that the regulations had, rightly, made no distinction between adults and minors. "We must be permitted to believe that these measures are legal," he said, "since our regulations have never been annulled up to the present."

He added :

"We have every reason to fear that if the administration,

¹ See further on.

² See above, Chapter Seventh.

conforming to the views of the Bench, were to present prostitutes who are minors from exercising their calling in brothels and houses of call, police surveillance would become altogether useless; that consequently clandestine prostitution would develop into considerable proportions, and that the laudable end which you propose to yourselves would fail to be secured. We beg of you, *Monsieur le Procureur du Roi*, to weigh well these observations before you oppose yourself to the carrying out of measures which we believed it was our duty to take in the interest of the general good, and as such, deserving consideration.

"We are, in any case, convinced that you will not hesitate to allow that the Brussels police has not incurred any blame by admitting the application of Articles 14 and 22 of our Ordinance on prostitution, to girls who are minors, seeing that it acted in conformity with the intentions which dictated these provisions."

The Bench by its action endorsed this theory, since it did not prosecute the burgomaster, nor the burghers, and satisfied itself with the brothel keepers. These were taken as scapegoats, and yet they could argue that they were sincere. One of the accused said, in reply to the president, who was rebuking him for having received into his house a girl who was a minor, and whose appearance altogether was that of extreme youth: "Why should I make any observation about her when the commissary had not done so?"

In reality, under the show of justice, advantage was taken of the fact that these girls were poor wretches, who were of no interest to any one, to commit an injustice towards them.

This is also the attitude of French jurisprudence, upon which the two following decrees "throw the greatest light:"

"Seeing that any one accused of an offence against morals for having habitually abetted the profligacy of a girl under twenty-one, cannot be acquitted of this offence for the reason that this girl was on the police register, and that, therefore, the accused had believed that she was more than twenty-one years of age." (Decree of the *Chambre criminelle* of the *Cour de Cassation*. Dalloz, *Recueil de Jurisprudence*, titre II., Art. 345.)

"It was decided in the same way, that the certificates given by the police to prostitutes are only the result of a sanitary proceeding which gives them no right to take to a profligate life. Hence a woman accused of having abetted the profligate life of two girls under age, cannot be relieved of the plaint for the reason that these girls having certificates in their possession when they came to her, she did not think she was obliged to inquire into their age." (5th February, 1830. Douai, *Ministère public contre Clément*.)

At the same time these contradictions are rare enough.

II.

"The mistress of a brothel is subject, as a matter of fact, if not of law, to the application of Article 334."¹

In fact, in December, 1877, it was stated in Paris that a girl of fifteen, having been seduced by a certain individual, had been afterwards taken by him to a licensed house, and had remained there. The police had then registered her without informing themselves of the circumstances which had led her thither. The seducer was prosecuted by the father for seduction of a minor. The idea of prosecuting the brothel keeper never entered any one's head.²

In another lawsuit, an unhappy little negress of fifteen related her Odyssey of misery and blows. She had been sent to a brothel at Fécamp. The brothel keeper had confined herself to saying to her, "You will tell the police that you are eighteen years." The police was content with this declaration.

In his address for the prosecution, written for the affair of the Rue Duphot, the *Procureur* of the Republic declared that "the professional customs of the brothel-panders escape the vengeance of the laws."³

III.

This is not enough. In his evidence before the *Conseil Communal* of Brussels, M. Henri Boland brought forward the following facts :

In Brussels, in a licensed house, situated at 42 *Rue Saint Jean-Népomucène*, last year, there was shut up a child of twelve years old, who was given up to the clients against her will !

At No. 3 *Rue du Persil* a girl of thirteen was found. Last October, in a licensed house, *Rue du Pilote*, there were little girls of twelve and thirteen.

A Madame Constance was in the habit of supplying children between the ages of twelve and fourteen.

A Madame Hortense kept a splendid house in the *Rue Gamberot*, where she put children of ten, eleven, and twelve at her clients' disposal.

M. X——, of Saint-Pierre-les-Calais, who will, if it is required, give his name, declares that in Madame Van Humbeck's house, he was one day offered a child of thirteen.

¹ Lecour, p. 164.

² *Bien public*, 18th December, 1877.

³ 13th March, 1881.

Mr. Dyer said that he had seen in the *Rue Pachéco*, a little girl who was not more than twelve or thirteen years old.

On the register begun in the year 1796 are to be seen the names of a large number of girls of ten, twelve, fourteen, fifteen, and sixteen. A report made to the Prefect of Police in 1817 states this fact.¹

According to a table published by Parent-Duchâtelet, the police had inscribed on its registers as prostitutes in 1832, twenty girls of fourteen, six of thirteen, three of twelve, three of eleven, and two of ten!²

At the present time we are very willing to believe that there are no longer any children of ten years of age on the police register, but there are minors who are under eighteen years of age. This is acknowledged by the Prefecture of Police, but it does not specify at what minimum of age it stops. Is it at sixteen, fourteen, or at twelve?

Certain facts, for many years, have shown us that minors of fourteen have been shut up in licensed houses.

From the day of their registration then the police compels them to get their living only by prostitution. In virtue of Article 331, the Prefect of Police ought to be taken to-morrow before the correctional police, in company with all the commissaries of police in the French cities where the system is in force. Much more than this, if these girls are not in rooms which they have furnished themselves, they are forced to enter a licensed house. Not only does the police incite them to a profligate life, but it also commits an outrage on their modesty by putting them in the hands of a matron, who compels them to prostitute themselves. In virtue of Articles 331, 332, and 333 of the Penal Code, all the Prefects of Police ought to be sent to the galleys.

M. Lecour said that "nothing is more serious, and nothing entails the responsibility of the administration more, than the registration of a girl who is a minor."³

IV.

The police, with its hypocritical cleverness, has discovered several methods of escaping from this responsibility.

In Lyons, girls under age are not registered either at their own request or officially. They are only tolerated when better cannot be done, and then subjected to sanitary inspection, like

¹ Parent-Duchâtelet, t. I., p. 366. ² T. I., p. 92, ³ Lecour, p. 164.

girls who are registered ; but they cannot be admitted into brothels.

M. de Haussonville, a man very much in favour of the *police des mœurs*, the agents of which had supplied him with information, has clearly pointed out the unique means which the Parisian police employs in order to avoid compromising itself : "When it is a question of a minor, she is made to sign a request to be put on the register, which course frees the official from any responsibility with respect to a third party."¹

This, according to M. Jeannel, is the form for "the registration, on her own request, of a girl under age, in Bordeaux :"²

"Who declares that she lives in clandestine prostitution, and that she does not wish to get her living in any other way ;

"Taking into consideration ;

"Twelve reports of her misconduct ;

"The refusal of her relations to see to her ;

"An exeat from the venereal hospital ;

"The birth certificate of the afore-named ;

"Prefectorial authorization ;

"The failure of our counsel to her."

M. Delavau speaks of the prudence of the police.

"Registration cannot take place before the age of sixteen completed years ; and when this age has not sufficiently clearly been reached, registration is deferred for one or two years, in fact for such time as is necessary for the girl to have no longer the appearance of a child."³

I always admire the precautions, attentions, and cunning of the police : it never for a single moment doubts that there can be engagements which only infer the responsibility of those for whom they are contracted, without engaging him who contracts them. If you sell yourself for a slave, it is your buyer who is compromised.

Now here the police demands the sale of a woman, of a minor, a child, who could not legally take part in the smallest contract, who could not sign a cheque to order ; but, as it is a question only of the delivery of her own person, of her submission to the caprice of the police, and of her acceptance of that periodical rape which is called inspection, the profound and scrupulous legists of the police take her signature, declare it to be valid, and coolly assert that it clears them of responsibility !

A girl who is a minor cannot marry until she is twenty-one

¹ Garin, *Police sanitaire*, p. 133.

² *Revue des Deux Mondes*, 15th June, 1878, p. 903, *L'Enfance à Paris*.

³ *Paris-Guide*, t. II., p. 1881.

without the consent of her parents ; she can then only marry after giving the legal notices. But when it is a question of contracting marriage with the public, the police contents itself with her simple consent.

V.

It is difficult to pile together a greater mass of barbarity and hypocrisy, lies and contradictions. The police, charged with the duty of securing public safety, commits crimes ; it violates every principle of common law, and every original guarantee which protects the citizen, on the plea of secondary or inferior interests ; it substitutes its own action for that of the law ; it attributes to itself those functions of the judge which are denied to it by our judicial organization ; it erases the safeguards of our *Code d'instruction criminelle* ; it tramples on the most precise articles of the Penal Code, without having even the appearance of law in its favour ; and it thereby arrives at the practice of committing offences to modesty, inciting minors to profligacy, and of making itself an accomplice in the offences and crimes for which it afterwards prosecutes and passes sentence. It obtains signatures to engagements vitiated in their origin and form by the age of the signer, and holds them to be valid. This is what the French and Belgian police do.

In Italy, it is true, the law protects these acts ; but how could a law permit the police to render itself guilty of offences and crimes which the Code punishes when they are committed by private individuals ?

In England there is a law ; but then is it permissible, that on pretext of a question of hygiene, the legislator, by a chance law, should from day to day violate the constitutional principles which are the safeguards of each individual's security. This is a profound question, proving the necessity of inscribing in the charter of every nation a certain number of primordial provisions, and of securing respect for these by a special institution (such as that of the United States' Supreme Court), which shall be outside and free from the fluctuations and vicissitudes of public opinion, and so form a barrier, either to the caprice of one man's dictatorship, or to the encroachment of a body like the police, and prevent, a matter above all others most serious, the annulling of the law by official regulations.

To proclaim the rights of man is well ; to secure them is still better.

SECOND PART.

MEDICAL ORGANIZATION WITH RESPECT TO PROSTITUTION.

CHAPTER FIRST.

VENEREAL DISEASES.

Prehistoric syphilis—Siva—Was not imported from America—Conclusions of Lancereaux—Gonorrhœa—Methods of contracting it—A local malady—The simple chancre—A local malady—Syphilis—The infecting chancre—Is hardly ever discovered upon the female—Extra genital—Contagion from secondaries—Duration—Fournier—Conclusion.

WE must, in the first place, give a precise idea of the actual state of science with respect to venereal disease. The police officials who consider themselves invested with the mission of arresting its spread, for the most part have never given themselves the trouble of inquiring what have been its characteristics.

According to a widely-spread legend, syphilis was imported from America by Christopher Columbus and his companions. This pedigree, which Voltaire makes use of in *Candide*,¹ is a false one.

Now-a-days we no longer believe in those sudden revolutions, those *coups-de-theatre* of which we formerly imagined the history of the universe and of humanity to be made up.

Professor Parrot has discovered in bones found by Dr. Prunières in the dolmens of La Dozère, the presence of syphilitic osteophytes (bone formations). These bones belong to the neo-lithic epoch. *En passant*, we mention a fact that is very important from a historical point of view. M. Dabry has

¹ Voltaire, *Candide*, chap. iv.

made a translation of a Chinese work wherein syphilis is spoken of two thousand years before our era.

M. Lancereaux finds it again in the myth of Siva. Siva gives himself up to sensual pleasure, and was devoured by a gangrene, which spreads over the world, being communicable from women to men and from men to women. It only yielded to the prayers of the repentant, and an offering was suspended *ex voto* in the temple of the divinity.

In the preface to his treatise on syphilis, the same author has traced its pedigree down to our days, and has proved that it was known to the ancients. It had no chance of disappearing in that epoch of misery, filth, and debauchery, which we call the Middle Ages. M. Daremberg finds mention of it in a manuscript of the ninth century.

It is probable that man, with an absence of logical method still so frequently characteristic of him, made out a connection which had no real existence between two facts: the discovery of America, and a certain epidemic. The pox of the fifteenth century did not appear in the first place either at Lisbon or at Bayonne, where the sailors of Columbus landed; but in the midst of the armies which were laying Italy waste. The description given of it is much more like that of acute glanders and farcy than that of the pox.¹

M. Lancereaux concludes that—

Firstly, Syphilitic affections appear to have been seen and even described from the most distant period. At the same time, as the bond which unites their diverse manifestations, and which makes of them a pathological unit, had escaped the notice of our old observers, we must recognize the fact that the nosological conception of syphilis only dates really from the end of the fifteenth century.

And secondly, Besides its common and usual form, syphilis shows itself at times in an epidemic or endemic form. The first of these two, a rare and almost exceptional one, only appears in special circumstances; the second is more frequent, and is, so to speak, the ordinary form of syphilis in certain localities, when there is agglomeration without homogeneity, and, in particular, in the great seaports.

Syphilis is the gravest of venereal diseases, but all venereal diseases are not syphilitic. This fact, which has only very lately been recognized, is an extremely important one with

¹ Ricord, *Lettres sur la Syphilis*.

regard to questions of prophylaxis, as we shall prove further on.

Amongst venereal lesions are : gonorrhœa ; all ulcerations of greater or less extent due to the non-infecting chancre, or soft sore. These may come on after coitus with an unsound person, but are not followed by secondary symptoms.

Syphilitic lesions are characterized by the different forms of indurated or infecting chancre.

Gonorrhœa and syphilis are affections essentially distinct. Gonorrhœa is never followed by the constitutional symptoms of the pox, and the pox never has a simple gonorrhœa as its starting point (Ricord, Fournier).

Women will frequently communicate a gonorrhœa without having it themselves. They give it twenty times for once that they suffer from it themselves.¹ Ricord has even instructed amateurs how to procure it for themselves. They must take a blonde woman who is rather anæmic, drink white wines and beer, and dance all the evening, and the affair is done. The man who has got it will think that the woman is guilty, and if he is a partizan of the police he will denounce her. Lisfranc reckons that in a thousand men, eight hundred have had, or will have, a gonorrhœa. Ricord confirms this statement.² Certain physicians would make of it a constitutional malady, and have created "gonorrhœal rheumatism." Cases of this sort are out of all relation to the frequency with which we meet the essentially local gonorrhœa.³

For not longer than thirty years, it has been admitted that there are two sorts of chancre—the simple or soft, and the infecting chancre. This is the doctrine known by the name of dualism.

The simple chancre is an ulceration which is virulent, contagious, and inoculable on the patient (ipso-inoculable), and which always remains purely local. The incubation is a very short one, being at the most a week.

Gonorrhœa and the simple chancre can be reproduced on the same individual for an indefinite number of times. Syphilis cannot thus be reproduced.⁴

Syphilis always commences by a chancre, which is the primitive lesion.

The chancre constitutes the first period of the malady, then follow the secondary, and then, but occasionally, the tertiary symptoms.

¹ Ricord, *Lettres sur la Syphilis*, p. 47.

³ Rizat, *Manuel pratique des Maladies Vénériennes*, 1881.

² P. 72.

⁴ Ricord.

It was for a long time thought that the infecting chancre was generally solitary, so that when several chancres were met with on a patient, the idea of syphilis might be set aside from this fact alone. This is an error, as M. Rizat has seen a case where there were fourteen infecting chancres found.¹

The infecting chancre has a long, sometimes extraordinarily long, incubation period—35, 40, 60, 70 days. M. Rizat observed one incubation of 114 days (nearly four months).

Whether the active principle of syphilis be of vegetable or animal constitution, it is never transmitted otherwise than by contagion, and it never manifests itself otherwise than by one or more chancres. The contagion is either direct or mediate.

The conditions necessary in order that the contagion shall take effect in consequence of sexual relations are:—1st, the deposition of the syphilitic virus on a point of skin or mucous membrane; 2nd, the existence of an excoriation or fissure of some sort, at the point where the virus has been deposited: with a whole skin the most compromising relations are innocuous;² 3rd, the fact that the individual exposed to the contagion is capable of taking it, that he has not at the time, nor has had, constitutional syphilis, whether acquired or hereditary.³

The idea that syphilitic contagion can only be transmitted by the genital organs is widely spread, but nothing can be more false. A chancre may result from abnormal relations.⁴ If you drink from the glass, or smoke the pipe, of a person suffering from a secondary complaint in the mouth, and if you have any erosions, however small, upon the lips, you will contract as many chancres as you have erosions.⁵ Cuts from the barber's razor are a frequent cause of contagion.⁶ Syphilis may be communicated by the secretions without any apparent lesion. Mr. Henry Lee considers that more than half the cases of syphilis have contracted it from persons with no apparent lesion.⁷

M. Lancereaux acknowledges four periods in syphilis:

1st, Incubation.

2nd, Local eruption or primitive lesion (chancre).

3rd, General eruptions, or secondary symptoms, comprising

¹ Rizat, *Op. cit.*

² Martin, *Belhomme.*

³ Ricord, *Lettres sur la syphilis*, p. 183. ⁴ Rizat, p. 310. ⁵ *Id.* p. 21.

⁶ P. 346.

⁷ Henry Lee, *Report Contag. Dis. Act. Q.* 1036.

all the syphilitic affections of the skin, mucous membrane, and viscera, which are only manifest in a superficial manner, without disorganizing the organs in which they are developed.

4th, The period of gummata or tertiary lesions, comprising the cutaneous and visceral syphilides which involve the tissues deeply, sometimes inducing the disorganization and mortification of the glandular or visceral organs in which they have been developed : sometimes causing death.

What is a chancre at its commencement ?

"So small an affair," says M. Fournier,¹ "that I may, without exaggeration, describe it as the smallest, the most superficial, the most benign, the most insignificant of all possible erosions. So to speak, it is not anything ; it is less than nothing. So far is this true, that the first time, or the first times that we are called upon to show the existence of a chancre under this form and at this period, we are always deceived by it. And it is impossible not to be deceived by it.

"What is it later on? A small erosion having a thickened base.

"Later still, at its highest development? A circumscribed wound, generally a simple erosion, indolent, having a tendency neither to spread nor to become excavated ; something like a magnified herpes, or like the most superficial and least injurious of wounds.

"Finally, this erosion is filled up and cicatrises. All is said. That is all. A chancre is that and nothing more."

This lesion is so small that formerly it was thought to be the exception in the woman. Theses have been written to prove that it never existed (in woman), than which nothing can be more untrue.² The course of syphilis is the same in the woman as in the man, and sexual conditions in no way modify its development. Only it is extra-genital much more frequently in the woman than in the man. It ought, therefore, to be looked for outside the sexual regions.³

It results that in woman the chancre is rarely proved to exist *de visu*. It is developed in almost all cases in an insidious way, without any kind of pain, and the woman becomes an involuntary source of contagion.⁴

¹ *Leçons sur la Syphilis*, p. 83. ² Fournier, *La Syphilis chez la Femme*, p. 49.

³ *Id.*, p. 62.

⁴ Rizat, p. 307.

At the end of a period longer or shorter, and which may vary from fifteen days to three months, secondary symptoms appear, such as roseola, and mucous tubercle.

Mucous tubercles may be met with at the same time as tertiary symptoms, and lose nothing of their virulent and contagious character.¹ These lesions manifest themselves all over the body, and it is they that are the real vehicles for the propagation of syphilis.

If the tubercles are isolated and not confluent, it may happen that they are unperceived, and the affected person transmits syphilis unconsciously; and it is in this way that we see husbands or wives become syphilitic after several years of married life, and that women then bring into the world infected children, although those that they had in the first years of marriage were altogether free from syphilis.²

M. Fournier says: "The slightest lesions of the secondary period are those which are most dangerous as agents of contagion. And they are most dangerous simply because of their benign appearance. They seem to be of such small importance, and have so inoffensive an appearance, that no attention is paid to them, and their nature is unsuspected, and consequently he who is suffering from them puts himself in the way of communicating the complaint. Let us add, that they may very easily remain completely unperceived.

"The little secondary erosions of the lips, the tongue, and the penis are the most habitual intermediaries of contagion in marriage."³ We may add "in prostitution."

M. Fournier gives a number of cases, amongst them that of a physician who marries three years after contracting syphilis, and contaminates his wife "with a miserable little papule, a papule attended with loss of tissue, it is true, but exceedingly small, absolutely so small that I did not at first perceive it, and that later on I took no notice of it."

During how long a time is it possible for accidents of this kind to occur? M. Fournier's answer is as follows:

"Having regard for the moment only to the datum of time, I am of opinion that no syphilitic subject should be allowed to dream of marriage until he has consecrated a minimum period of three or four years to medical treatment of the strictest kind.

¹ Rizat, p. 94.

² Rizat, p. 338.

³ Fournier, *La Syphilis dans la Mariage*, p. 169.

“Three or four years is, in my opinion, the minimum (I beg you to note this word) the minimum necessary and indispensable in order that the taint may be sufficiently cleared away under the double influence of time and of medicine, and in order that the patient re-entering into healthy conditions may have the right of aspiring to become husband, father, and head of a family.

“Yes, three or four years ; and this is not too much, nor are my requirements too great. Nay, I am certain that it would be better to wait longer ; for with syphilis it is always a gain to wait and put off, when interests so sacred as those of a young wife and a whole family are in question.”¹

We have only to add a few words on this subject.

Tertiary symptoms may appear fifty years after the primary chancre (Rizat), but they are not contagious. Secondary lesions may be communicated to children.

From the special point of view which we take, we have to remember :

That a man may contract gonorrhœa without the woman having been affected by it ;

That the soft chancre is only a local affection ;

That the infecting chancre is scarcely ever discovered upon the woman ;

That the most benign and most insignificant lesions are contagious not only by sexual congress, but by any and every contact, in mediate or immediate manner, during the space of three or four years.

These statements having been made, we shall now be able to estimate with exactness the value from a hygienic point of view of the part which the police system plays.

¹ Fournier, *Syphilis et Mariage*, p. 108.

CHAPTER SECOND.

INSPECTION.

- I.—Necessity of Inspection—Infection from the Patented Article.
- II.—The Doctors—The Race with the Speculum (*course au speculum*)—Making believe.
- III.—Infection spread by means of the Inspection.
- IV.—Disagreement between the Police and the Doctors.
- V.—How an Inspection is Made—Forced Inspection—Inspection of Virgins—Proved Facts—Official Attacks upon Modesty—Trichinous Meat—Mrs. Butler—Forced and Voluntary Inspection—Avowals.
- VI.—Moral Influence—Inspection at Rennes.

I.

NECESSITY of inspection: that is the argument of the doctors who are partizans of the morals police.

We have stated¹ that it was even made the pretext for the resurrection of the ordinances of the old régime.

If we ask a physician the purpose to be gained by inspection, he will answer that it is to stop the spread of syphilis. He will give up to you the gonorrhœa that men contract from women who have not got it—and the soft sores; but syphilis! syphilis! syphilis!

Now it is not more than thirty years since all these maladies were confounded. Fournier gives the case of a physician of Saint-Louis whom his father-in-law, himself a writer on syphilis, had obliged to take mercury to cure himself of gonorrhœa which he had not got rid of.

At that time a physician would discover a soft sore on a woman and would send her to the hospital, thinking that he had saved society from syphilitic contagion in this case; but we now know that the easily discovered soft sore is a small matter beside the infecting sore which is hardly ever discovered, and whose existence even physicians have denied. It resulted from this that the only consequence of inspection was to leave

¹ Part I., Chap. Third,

the syphilitic in full circulation and to attend to soft sores alone.

Until 1859 men like Ricord believed in the non-contagiousness of secondary lesions, the search for which is frequently as difficult as that of primary infecting sores. The physicians caused to pass into circulation again the women so affected, with a free patent.

For sixty years at least, the dispensary system has only served to discover soft sores, and to guarantee to the consumers the good quality of women who were in reality affected with syphilis.

We have seen that the primary sore is rarely found either in the vagina, or in the neck of the womb. Now, at the hospital Saint-Louis, before the appointment of Ricord, the speculum was not used;¹ and, in 1841, M. Pélacy, in an official report, mentions its employment at the dispensary as a great advance.²

II.

For forty years the doctors had not made use of it. What had they been able to see?

At the present time, of two inspections, one alone is effected by the help of the speculum.

How and by whom is the inspection made? The dispensary physicians have not passed their examination, any more than the physicians and internes of Saint-Lazare. These police appointments, ill-paid and disagreeable, are given away only by favouritism. They must only be filled by men willing to accept the task of giving their effectual co-operation, as appears in the following passage from M. Lecour:

“The police administration must reckon on the concurrence of the medical service, associated in the mission by a strict solidarity, to prevent, frustrate, and punish such manœuvres as the substitution of persons, and in order that information may be given as to those who are tardy in coming up, and as to various circumstances which may merit the attention of the administrative services.”³

At Geneva the physician reports in the following manner:

“There is a new girl at Mme. L——’s. Her papers appear to be *en règle*. I think she may be registered.”⁴

¹ *Lettres sur la Syphilis*, p. 37.

² *Ann. d'hyg. et de méd. légale*, 1841, t. XXV., p. 307. ³ Lecour, p. 354.

⁴ *Congrès de Genève*, t. I., p. 173.

In England, confidential instructions for the surgeons' inspection run as follows :

Article 2.—The surgeon must have a list, carefully prepared by the police, of the women subjected to the Acts.

Article 6.—He must learn her history, of herself and of others, in order that he may assure himself that the Acts are applicable to her, even if she have signed the certificate of voluntary submission required by Article 17 of the Act of 1866.

M. Carlier¹ cites the case of an old dispensary physician who was so blind that he could not walk unassisted in the street. He was brought to the dispensary and made the inspections ! What a fine warranty ! But the important thing, in matters of administration, and above all in police matters, is not to do something, but to appear to do it. "We must have numbers," for dispensary doctors as well as for the agents of the public highway. Pélacy, in his report of 1841,² says that the doctors must inspect from 80 to 90 women in an hour or an hour and a half.

M. Carlier gives the following figures, for the period 1855 to 1870.³ The inspections submitted to at the dispensary amount at the lowest computation to 5,050 a month. They must be made by a single physician in the space of 26 days, and at the rate of 6 hours daily this gives a mean of 32·37 inspections an hour, a little less than two minutes for each inspection.

M. Routier de Bullemont said one day before me, in order to show the skill of M. Clerc, the physician-in-chief of the dispensary, that he inspected 120 women in an hour, that is two a minute ! Now-a-days operations are conducted with racing speed. The doctors are in haste to get done, and they vie with each other in celerity. Of the *carte* which they give, one may say : *Le bon billet qu'a la châtre !*⁴

"Professor Sigmund of Vienna, who was present with one of us," say MM. Belhomme and Martin,⁵ "at the dispensary inspection in Paris, was struck with the insufficiency of this investigation, and he told us that in Austria a girl only quitted the consulting room of the medical officer of health after having been stripped and completely examined from head to foot, if the expression may be allowed."

Inspection is made in this way in the registered houses, but with the greatest rapidity.

¹ Carlier, *Prost. de 1855 à 1870*.

² *Ann. d'hyg. et méd. légale*, t. XXV., p. 306.

³ Carlier, *Prost. de 1855 à 1870*.

⁴ A French idiomatic and derisive expression, dating from the 17th century.

⁵ *Op. cit.*

M. Lancereaux observes that the women come to the dispensary, and are inspected in their turns immediately after their arrival, or if in the registered house, when they have just come out of their room; but if the woman is suffering any discharge, she has taken care to cleanse herself. If she has any small erosion she will have concealed it by the help of a little rice-powder, paint, cold cream, &c. The physician, in the course of his gallop, sees nothing of it.

III.

In return, these gentlemen give something very serious to the woman submitted to their inspection, namely, the very syphilis which it is their duty to discover, and the spread of which they pretend to hinder.

We can understand that the doctors who proceed so rapidly in their work have only a relative or comparative care respecting the cleanliness of their speculum. The most conscientious plunge it into a bucket of water, wipe it with a towel, and that is all. Mr. Beton, when before the Committee of the House of Lords, stated that the English surgeons inspected 150 women in the space of two hours, and he asked how they found time to cleanse their instruments.

At Naples, according to the brochure *La Polizia dei Costumi*, 200 inspections must be made in two hours, and with the same instrument.

"But," says Fournier, "we should frequently transmit syphilis from one woman to another if we did not take extreme care of our instruments, especially if we did not require our specula to be cleaned under our eyes, washed in several waters, and suitably dried at the termination of each inspection. And I strongly suspect that in spite of all our supervision, such transmissions must sometimes be thus produced. Here even, some years ago, there was reported a case of contamination, by means of one of the india-rubber tubes which form part of the apparatus for vaginal injections. Two similar cases occurred last year in this hospital.¹ Ricord demonstrated the fact that a single drop of matter taken from a syphilitic wound and dissolved in a glass of water, forms a solution, a single drop of which would be sufficient to inoculate a healthy person with the complaint."

¹ M. Fournier, *Leçons sur la Syphilis*, p. 55.

Tardieu, in an essay on maladies caused and communicated, says : " We do not forget a fact which is much to be regretted, and which made a great noise some years ago, that syphilis has been transmitted by means of a contaminated speculum."¹

But this fact did not occur at the dispensary ; otherwise it would have made no noise, for the good reason that Lancereaux gives :

" If the number of cases that we can cite is so small, the reason is to be found simply in the seat of the complaint. In fact, the woman who has been poisoned by the speculum is always supposed to have caught the complaint in cohabitation, and is condemned accordingly for it."

Dr. Giersing states that since the prostitutes of Copenhagen have been submitted to two inspections a week, the number of those affected with disease has increased. He attributes the cause of this increase to " infection transmitted from prostitute to prostitute by means of the speculum."²

The dispensary is a centre of infection. The doctor's instrument is an agent for propagating syphilis. Every woman who goes there runs more risk than with any human contact whatever. This is obligatory syphilis.

Hence in great part arises, since the application of the Contagious Diseases Acts in certain garrison towns in England, the increase of cases of syphilis amongst English troops.³

IV.

Certain physicians—I might say many—are, notwithstanding their pretensions, the most chimerical of men in social matters.

They all say that the speculum is a terrible agent of infection. Then, say you, they conclude that the system of inspection should cease ? Not at all ; it should be multiplied.

All agree in saying now that its least defect is its being ineffectual.

" What security can a control so rarely exercised offer ? " say MM. Belhomme and Martin.⁴ " This security is indeed

¹ *Ann. d'hyg. et méd. légale*, 1864, t. XXI., p. 371.

² *Congrès de Gènes*, p. 39.

³ *Memoire au Congrès de Genève du Docteur Charles Bell Taylor*, t. II.,

p. 131.

⁴ *Traité de Pathologie Syphilitique et Vénérienne*, 1864.

insignificant, so insignificant even that syphilis is derived above all from women under surveillance."

The English doctors who are in favour of the Act unite in saying that the inspection, which in England only takes place once a fortnight, ought to be made more frequently.

Then M. Ricord demands that it shall take place every three days; MM. Ratier and Sandouville every four days; M. Langlebert at the least twice a week; M. Lancereaux wishes it to be every other day. Besides this, instead of taking place immediately after the arrival of the women, they ought to be shut up in a special locality for some hours without the means of cleansing themselves, and ought to undress themselves completely. According to M. Mireur, every woman who has had syphilis ought to be submitted to inspection daily for eighteen months.

But then the police official, who has practical experience of the thing, intervenes. Certainly he likes nothing better than the multiplication and application of regulations. That gives him importance. Nevertheless, he feels instinctively that he must not proceed so far as absurdity. "What is good is spoiled by striving to make it better," as M. Lecour says. And the official replies to the doctor: "These women are not chattels absolutely, in spite of our efforts to make them such. The more severity we import into our regulations, the more they fly from them. Our efforts are in vain. These unhappy creatures retain a remnant of will, and beyond a certain point, intermeddling gives no further results." M. Lenaers finds that the inspection at Brussels, which takes place twice a week, is too frequent,¹ because the girls keep away from it. "In place of augmenting the subjection of prostitutes, we must make their sanitary obligations easy of fulfilment," says he. "If you shut them up and undress them, as M. Lancereaux demands, there would be a general disappearance. They already hide themselves quite enough! It is true that when found they can be put into prison; but then they would all be there, and when once all these registered prostitutes are imprisoned, clandestine prostitution will ensue, quite at its ease. True that the police would most willingly strike at this, but it would already have enough to do with the others. . . ."

And this debate between the policeman and the doctor ends in: Inspection is inefficacious and regulations are absurd.

¹ *Rapport sur le règl. de 1876*, p. 27.

V.

To arrive at this result, consider the proceedings.

At Naples half-a-dozen women are brought in at a time, and inspected in public before the agents of police, the employés, and the doctors.¹

In certain provincial towns the inspection is not made with any more discretion.

In England the woman is brought in and placed upon the chair by a hospital nurse. When she is in position, the doctor enters, remains *tête-à-tête* with her, and makes the inspection.

In Paris the physicians inspect the women of the registered houses at their home. The non-registered and the isolated girls come, or are brought, to the dispensary.

The inspection room consists of two boxes separated from each other and from the passage by partitions two metres ($6\frac{1}{2}$ feet) high. The *agents des mœurs* remain in the passage; the physician writes on the card an S (for *saine*), if the woman is healthy; an M (for *malade*) if she is diseased. In the latter case she is detained and sent to Saint-Lazare.

A dispensary physician told me that "if the woman refuses to be inspected, the physician never insists, and she is at liberty to go away; only she is arrested in the passage by the agents who have heard the discussion.

"That is no longer the doctor's affair!"

Such is the last term of the apology for the physician, made by himself. With regard to this I could relate tales which do not quite agree with this statement, and according to which women are dragged to the inspection as the victims of the Inquisition were dragged to the torture. Surrounded by agents, and in prison, the greater part do not resist actively.

They content themselves with protesting and weeping, and by hysterical attacks.

"Women have no sense!" as the director of the dépôt said to me.

The great difficulty in the inquiries I have made concerning the police is that my information came to me either from agents, employés, and physicians, whose authority I could not publicly mention, or from victims whose testimony was disputed, or who,

¹ Mme. Jessie-White Mario, *A. C. Genève*, t. II., p. 552.

paralysed by terror whilst they gave me their confidences, implored me not to speak of them. As to the protestations of the police and dispensary doctors, the lawsuits of the *Droits de l'Homme* and of *La Lanterne*, the lawsuits of the Belgian panders and of the *National* of Brussels, have shown the value we must attach to them.

Had not Mlle. Ligeron to undergo inspection, although she was a virgin? and her virginity was proved to exist at a subsequent inspection, to which she quite willingly submitted. Analogous facts have been officially notified in Italy.¹

At Brussels the young girl Allen was presented by Mme. Paradis to two physicians. They declare her to be a virgin. What do these honest people do? They see a young girl who weeps, but whose language they are not acquainted with, and who is not acquainted with theirs. Never for a moment have they any idea that before them there is being enacted something that is simply monstrous; that there is a burgomaster at Brussels to whom they ought to give information; that there is an English consul whom they ought to warn!

No. They content themselves with advising Mme. Paradis not to keep the girl at her house. She takes her away again and sends her to Antwerp to be violated; thence she is returned to Mme. Paradis, who has her again inspected without the least scruple or the least hesitation on the part of the physicians. They see her remain for fifteen months in the same house, where she was detained as in a prison; and in their minds there never arises uneasiness or scruple at the sight of this female, who on the first occasion had been brought to them a virgin!

Consider the facts deposed to before the commission of inquiry of the House of Lords by Mr. Thomas, assistant to the Treasury Solicitor, and officially charged by the Home Secretary to second Mr. Snagge in his inquiry.² Of 34 young English girls, upon whom the inquiry was made, at least 3 were in the same condition as the girl Allen.

But does it follow that because a woman is not a virgin, she ought not to be respected? What! Our code contains terrible articles concerning any attack upon modesty (Art. 331, 332). Article 333 specifies that if the guilty persons are public officers, if the guilty one has been assisted by one or more persons, the punishment will be hard labour for life.

¹ *Rapport officiel du Dr. Tullio Spagiani, cité Act. Congr. Genève, t. II. p. 552.*

² Question 946.

In the name of these articles, I have seen people condemned who had only given way to foolish pleasantries, tolerated by the customs of the country, and who, not having used any violence, might be looked upon as victims of imposition. The bar prosecuted them with indignation : and jurymen, who had perhaps done just the same themselves, virtuously condemned them in expiation of their own sins and in order to award themselves a certificate of good life and morals.

But when the police is in question, oh ! then it has liberty to commit a rape ! It can take a woman, lead her to the dispensary, and use against her every form of violence and ill-treatment. The physician can examine her in his own meaning of the word, and violate her with his speculum. There is no worse offence against modesty ! This is illegal, but it is police law.

In full security of conscience the dispensary doctors lay their hands on women, counting for nothing the rebellion of their nature against such a thing !

Situations have their logical necessities. These doctors are no more than machines for introducing specula into the parcels of flesh that the police put before them. Custom house officers of syphilis, they forget that these women have nerves and a brain, that they suffer and feel, and they inspect them like so much trichinous meat.

In their turn, and in this consists their punishment, they are treated by the police as instruments. Under their brutal hand there is reciprocal degradation of agent and of subject. Both become passive.

Mrs. Josephine Butler was indeed right when she said : " I ask you what must be the direct and indirect influence upon the inspecting physicians of the habitual practice of this outrage day after day ; and the influence also upon all the men and youths who know only too well that this outrage is continually committed for the purpose of protecting immoral men.

" English physicians have said to me that they were astonished that a physician worthy of the name of man could commit such an outrage by force upon a woman, whether resisting or non-resisting. It is the very cradle and nursery of mankind which is defiled by these profanations.

" The line of human descent is continued, so far as the body is concerned, by the mother. The inferiority of women, as regards physical strength, arises from the fact that during all ages their work is in relation to the sacred duties of maternity.

This very weakness, gentlemen, ought to give them a personal title to a respect infinitely superior to that due to men, who are endowed with physical strength sufficient to protect themselves.

"When a woman, whether virtuous or not, seeks the aid of a physician that she may be cured and her life saved, she may voluntarily and without loss of dignity submit to a treatment which is necessary. The difference between this case and forcible inspection is as great as that which exists between the sacred marriage act and a rape!"¹

The partisans of inspection do not dispute its having an odious side. "In giving the details of a measure so prodigiously shocking to human dignity," says M. Mireur, "I have not been able to restrain, I fear not to say it, a profound feeling of sadness. . . . Truly we must place this formality in the highest rank of the social guarantees and protective measures of the common weal, if we would not turn in disgust from such a scandal."²

Then M. Mireur dries his crocodile tears and asks for it to be intensified!

VI.

Let us consider the moral consequences of such an act, not for those who are brought up forcibly for the first time, but for those who are constantly subjected to it.

"The physician's inspection is the great affair, the continual subject of conversation," says Dr. Jeannel.³ One understands that. The fate of all these unhappy ones depends on him. At each inspection they are in fear of the hospital; for if he is prudent he will send them there on account of the slightest erosions, not on the sexual parts only, but about the mouth. Every woman who, having had syphilis, has a chapped lip, the smallest ailment possible, must be declared as of doubtful health. We can understand the apprehensions of these women, perpetually menaced by the hospital, which in certain towns is worse than a prison, and where they may remain for an indefinite period.

Then again they all meet together at the dispensary. Con-

¹ *Discours de Mme. Joseph. Butler, Congrès de Genève, t. II., p. 144.*

² P. 299.

³ P. 233.

versation must go on whilst they are waiting their turn. I need not speak of the depraving influences which result from such promiscuity, from the acquaintanceships formed there, and from the hatreds awakened there. At Paris, not long ago, the mistresses of the houses came there openly, under the protecting eye of the police, to make recruits. They are a power there in other towns, considering themselves there at home, and exchanging friendships not only with the police, but with the doctors!

One of the liveliest recollections of my childhood is the coming and going of the prostitutes on the inspection day, at Rennes, on the quay Saint-Yves. It was a frightful quay, intersected by a low, black arch, underneath which flowed the stinking sewage of an old tumble-down hospital, upon whose façade appeared to be accumulated all the skin diseases of its inmates.

Two days a week there were to be seen strings of women in remarkable toilettes, with very short petticoats, and ribbons of striking hues, and who, for the most part, had a painful and sprained action of the back, analogous to the disordered hip action produced in the horseman by riding. They were the girls going to the inspection. What was this inspection? In what did it consist? What were these girls? I only knew that these women, who were set apart, were looked upon with horror by all the world, and they were going to subject themselves to some cruel and degrading mystery. Certain of them, insulted by the washerwomen, answered back; and then across the river, from end to end of the quays, were scattered broadsides of obscene words. The blackguards of the city, and the scholars leaving school, mingled in the disorder, and riddled the unhappy creatures with insults, the meaning of which they did not even understand, and with barbarous pleasantries respecting their ugliness, or the poverty of their toilettes; and played upon them naughty tricks born of the unconscious cruelty of childhood, and which they underwent passively, knowing very well that if they bethought themselves of repartee, the whole band would unite against them, and would have the help of the police agents, who looked on laughing, whilst these amiable blackguardisms were being done. I understood that these were poor, crushed-down people, and ever since I have felt for them the immense pity that I would fain share with all to-day.

Conclusion.—Inspection, even when it is carefully made, cannot protect men from gonorrhœa.

It can discover only the soft chancre. It is made under such conditions that it is entirely inefficacious, above all for the discovery of syphilis.

The rapid using of instruments common to all the cases makes the instruments agents of infection.

Forced inspection is an offence against modesty. It has as its consequence, the moral depreciation of the physician who makes it, and of the woman who undergoes it.

CHAPTER THIRD.

CROWNING THE EDIFICE.

Saint-Lazare—Length of stay—Uncleanliness—The police doctors—The work—Regulations—The punishment cells—Cages of those under age—Provincial hospitals—Absence of care for the sick—Dr. Thiry—England—Berlin—Hamburgh.

A WOMAN has committed a breach of the police regulations. She is insubordinate, and refuses to be registered, and the police wishes to make her submit : To Saint-Lazare !

A woman is declared by the physician to be unhealthy. The *police des mœurs* takes her as she comes out of the box. To Saint-Lazare ! equally.

Thither, in the same "*panier à salade*,"¹ are conducted the victims of the *police des mœurs*, the invalid, and the thief.

Saint-Lazare ! The name is a melancholy one ; and melancholy is the prison—that heap of blackened buildings situated at the top of the *Faubourg Saint-Denis*.

Of those who do not admire the system of the *police des mœurs*, few have been able to inspect this prison.

I was permitted to see it in 1877, but not in its every-day condition. I saw it during an official visit. Director, warders, nuns, were upon their guard. It was impossible to speak a word to those detained there, bowed down as they were by fear, and watched closely. Nevertheless, if I am rightly informed, some refractory ones, whose boldness was dreaded, were shut up in a side-room, which was not opened to us.

It is so easy to conceal one or more apartments in a great building with staircases winding in and out.

The public is willing to believe that all women detained at Saint-Lazare mingle freely together ; but this is not quite correct.

Those detained at Saint-Lazare may be divided into five categories :

1st. Women "detained administratively," whether registered or not ;

¹ A slang term, meaning the vehicle in which prisoners are removed.

2nd. Women detained on suspicion, who have to be tried ;
3rd. Women condemned for a less time than a year and a day ;
4th. Those who await transference into the central houses ;
5th. Young girls condemned as a means of correction for having offended, whether knowingly or not ; young girls detained in paternal correction.

Total detained, 1,200 to 1,500.

I recognize the fact that each of these categories inhabits a separate quarter ; but the nuns take it on themselves to remove a woman from one quarter to another.

A young girl or a woman is arrested upon an accusation more or less true : every accused person ought to be reputed innocent until found guilty. What matter ? Prejudice is too strong.

"She has been at Saint-Lazare," is sufficient. She is already judged.

A young girl is put there in fatherly correction, perhaps as a result of her hatred of her cruel stepmother. What will become of her when she goes out ?

"Escaped from Saint-Lazare !"

You hear that ! She is lost for ever.

It is a dark prison with a dark entrance. The director is a little man, full of business, and bowing very low. On the day of our visit, M. Lecour, who had the upper hand over the prisons of the Seine, accompanied us. He was the master, and was felt to be such. There are men who love authority, and for them authority means prisons, warders, regulations, and, above all, the ever-present possibility of despotism.

Madame the superior !

A great woman is she, a woman of business and administrative power, and most competent upon all questions. The other nuns are figures more or less insignificant. We shall return to them.

We first visit the quarters not appropriated to women more or less convicted of prostitution. We walk about in yards full of a kind of shut-up smell, mixed with odours of greasy water.

It is this greasy water that is called soup : a few dried herbs cooked in water, in which a small piece of bad butter has been allowed to melt. Once a week there is meat.

M. Lecour shows us an apartment where, under a nun's direction, there are women crowded together, working sewing-machines, with their heads bent down, and only daring to look at us from beneath.

"A beautiful workroom," says M. Lecour.

I shudder: a slave proprietor would speak in this fashion.

Some unhappy ones laden with burdens glide along the passage walls, and make the nuns an obeisance, which fear interpenetrates.

We enter the quarter of those "detained administratively."

During the night they are crowded in four rows of beds in a dormitory, which does not contain half the necessary air required by the regulations of the prefecture of police itself.¹

This quarter contains 400 adult women. There is an additional isolated section containing 100 young girls under age. The infirmary, which is its main feature, is constructed for 300 sick. There are ordinarily about 250 there; sometimes the number rises to 360.²

We pass through yards and galleries looking into a paved court, which is sombre and cheerless. Into these yards and galleries open large apartments.

The women have on a dirty-grey dress very badly adjusted to the figure, a little shawl of a dull grey colour crossed over the bosom, and a miserable little bonnet.

The floors are waxed. It is evident that our visit is an official one. Each woman is placed at the head of her bed. Not a word passes between all these women. They rise at a brutal and imperative order from the nun; they sit down again automatically. The constraint which weighs upon them makes itself felt, and I feel as if choking in this slavery-impregnated air.

This good demeanour is a triumph for the administrators, who do not comprehend how much dumb raging, how much flaming revolt, lies hid under this forced hypocrisy.

We visit the infirmaries, the "obligatory hospital," the joy and triumph of M. Lecour and the police-surgeons. They are astonished that women do not like it. I should think so.

These infirmaries are placed on the two sides of the other prison apartments. They are in no way different from them, unless perhaps they are longer and narrower.

Here the same attitude of forced submission proves that the régime is the same. Almost all are out of bed. They have the pale face and bloodless lips of the anæmic. We hear coughs which seem to tear the chest. All hospitals are dull and sad, but a prison hospital is doleful.

¹ *Rapport Bourneville*. The General Council has somewhat improved his state of things.

² Lecour, p. 65.

The order of the day for those who are detained, and for those of the sick who can get up, is as follows : At 4.45 A.M. they are awakened to the cry of "*Vive Jésus !*" The bed must be made and the toilette completed before five o'clock. They then proceed to the workrooms, where everybody is compelled to be present at prayers. They work until 8.45 o'clock. Then they have water-broth, with a badly-cooked carrot, or a leek. Promenade until 9.45 o'clock. Work, broken by prayer, is recommenced, and then at noon they have a bit of "*boule de son.*"¹ They work again until three o'clock, when they have some French beans. Promenade until four o'clock. They return to the workroom, and at seven go to bed after another prayer.

The infirmary floors are waxed by the patients ; those who wish to be exempt from this duty give 1 franc to the sisters.

According to a note of the prefecture of police, the length of stay for syphilitic diseases in particular, may be analysed thus :

123 women remained from				10 to	19 days
77	"	"	"	20 to	29 "
53	"	"	"	30 to	39 "
43	"	"	"	40 to	49 "
31	"	"	"	50 to	59 "
25	"	"	"	60 to	69 "
8	"	"	"	70 to	79 "
5	"	"	"	80 to	89 "
7	"	"	"	90 to	99 "
8	"	"	"	100 to	125 "
2	"	"	"	126 to	150 "
7	"	"	"	151 to	199 "
3	"	"	"	200 to	300 "

Whilst these unfortunates are imprisoned in this way for seven or eight months, the man who infected them continues to walk about in freedom, and to multiply the number of his victims, if it seems good to him. The women have not even liberty to be cured elsewhere than in a prison. One woman, Rosa Brossard, was half-killed by a thief on the 2nd January, 1877. She was taken to the Hôtel-Dieu. The police sought her there, dragged her in a nearly dying state to Saint-Lazare, and when her cure was complete, punished her with twelve days' imprisonment.

These women are without the most indispensable means of

¹ A slang term, meaning the bit of bread served out to prisoners.

cleanliness ; they have neither baths, nor wash-hand stands. There is common to all an injecting apparatus, which is an excellent vehicle for conveying contagious diseases ; there are neither towels nor pocket-handkerchiefs, and the warders are nuns, who consider every act of cleanliness as an outrage against modesty.

The nuns, as a means of punishment, keep back the wine from the sick, in order that they may sell it to them afterwards.¹

The amount of nourishment is insufficient ; the amount of air is insufficient ; and yet we want strengthening food in the majority of venereal diseases.

The *internes* of this infirmary are not *nommés au concours* ; it is from amongst them almost exclusively that recruits for the doctors of the establishment are obtained ; police-surgeons, physicians diplomaed without examination, those who have been unsuccessful, or “plucked,” and who are looked on with contempt by their colleagues of the hospitals. Only hear these latter speak of the school of Saint-Lazare !

If they question this, I ask them to show us their writings and their works. They are in a position to study venereal diseases. What advance in this respect does science owe to them ?

They feel their inferiority so much that they shut themselves up behind closed doors, not being desirous of any embarrassing criticisms. M. Fournier was able to enter Saint-Lazare only after recommendations from the highest quarters, and at the end of three days the door was shut in his face.

The women go out thence “whitewashed, not cured,” according to the current expression. “I am quite new !” say they ; and the greater number finding their furniture sold, and their other effects stolen, do all that is possible to make up for lost time.

Some, nevertheless, have so correct a knowledge of their condition that they return voluntarily to be cured at Lourcine.

Prejudice is so strong that a physician, who was with us, a scientific man, and who ought in consequence to be on his guard against prejudice, and to banish it in favour of scientific method, said :

“Have you remarked these ignoble types ?”

He was addressing one of his colleagues, an alienist of most distinguished reputation, and therefore a man who was accustomed to observe physiognomies, and he immediately answered :

“Pure prepossession ! On the contrary, nowhere are there

¹ *Rapport Bournéville.*

more diverse types ; here you have fine contours, sparkling and intelligent eyes, and refined features. Ah ! my dear colleague, if they only were free ! You have also women who are old, ugly, wrinkled and coarse, and worn out by misery ; but they are made up of all the races of France, they have no character in common, in spite of their uniform dress ; each one represents a distinct individuality."

This is a proof that a woman is drawn into prostitution by many fatalities ; by an education that is unfortunate, by the deceit of men, and by poverty.

My heart is wrung by the thought of all the sorrows hidden behind these faces.

These women are made to sew coarse cloth which take the skin off their fingers. The profit is distributed as in other prisons ; it is divided into ten hundredths. Of these five are for the prison ; the other five for the woman.

The prefecture of police has always looked well to the interests of the contractor for the goods made in prison.

Some one reminds M. Lecour of M. Delessert's measure for giving a minimum duration of one month to the imprisonment, in the interest of the contractor. M. Lecour pushes out his great lips, and hides himself.

Some one else persists. M. Lecour feels it necessary to exclaim :

" Oh, we never keep them, except in cases of illness, more than a fortnight or three weeks."

" I admit that ; then what is the good of your making arrests ? "

" Oh, we have them taken up again."

Good, I make a note of this confession. It is really perpetual detention with longer or shorter interludes.

M. Lecour pulls a lip and says nothing.

Some one asks for the regulation on this point. The director says,

" There is one."

" Is it in print ? "

" No."

" Can we hear what it is ? "

M. Lecour intervenes, saying :

" I do not allow it to be communicated."

Very well ! it must be a fine one !

The girls who are not registered say that they are worse treated than the others. All outside communication is inter-

dicted. They are prevented receiving any assistance in money or in goods. It is a delicate way of engaging them to become registered willingly.

I insist upon seeing the cells where "the refractory are put for punishment."

We are marched about right and left. They do not care about showing the cells. At last they give way. We do not go downstairs, as these dungeons are not subterranean. They are cells placed immediately under the roof, and bring to mind the leads of Venice.

They are small garrets, badly lighted by skylights, and absolutely without furniture, with the exception of a wooden stool fixed to the wall.

For the night a straw mattress, without any covering, is thrown in, and upon this the unhappy woman has to lie down. It is taken away in the morning so as not to leave her any other seat than the stool. The food, already so insufficient, is reduced to bread and water.

I forgot, as part of the furniture of the room, a dirty tub for natural requirements.

There is no means of ventilating or warming the room. In summer it is suffocating, in winter freezing. M. Lecour will even then speak in the name of public health !

Women are shut up there whose arms are bound, and whose chest is crushed by a strait-waistcoat.

"For how long? One day, two days, three days a week?"

The superior replies with a satisfied air :

"They generally beg pardon before then."

If the torture of the boot, or thumb-screw, were administered to them, they would beg pardon even sooner, and the nun could say with more legitimate satisfaction :

"Oh, it hardly lasts five minutes. They generally ask pardon at the second turn of the screw."

One can see from the attitude of these nuns that they consider themselves to be beings of a superior order. The prisoners constitute a flock which belongs to them, and which they lead as they will. They always use the possessive pronoun in speaking of them :

"Our women."

Some of them, when speaking familiarly, it appears, make use of expressions that are more characteristic.

These nuns belong to the order of Marie-Joseph. They are simply overseers, paid at the rate of 600 francs yearly. If

they were not marked out by their costume, the physician mentioned above would not have failed to say :

“What unpleasant physiognomies ! What hard heads !”

There are legends which would justify these designations. The women accuse them of brutality and violence.

These legends will not surprise those who are acquainted with these devout old maids. They must be sufficiently inaccessible to pity, and quite ready to avenge themselves by petty tortures for those worldly pleasures which they can never taste, and of which these unhappy girls bring them as it were a glimpse. The condition of these latter is a perpetual irony for them. It is true that they console themselves for it, by saying to themselves that they are their warders and their rulers, and that they can oppress them at their ease. Here then is a psychological question which I cannot think of without terror.

There are sixty nuns. What is their intellectual value ? Ask a very moderate man, Dr. Lunier, inspector of lunatic asylums, what is the mental power of the brothers of *Saint-Jean-de-Dieu* ? Whence are these nuns recruited ? If we judge of this as we do of the recruiting for the regular clergy, there is indeed something left to be desired. Where, then, are these sisters picked up ?

In every room there is a Madonna, with a kind of altar. All prisoners are obliged to go to mass. The chapel was shewn to us with great complacency.

The nuns put up Madonnas in a lottery, and she who wins, in order to get herself into favour, gives her statue to the sister, who in a few weeks uses it again for the same purpose.¹

What moral object have these nuns in view ? Their chaplain and their superior threaten them with damnation ; they in their turn do the same to others. Being neither wives nor mothers, these more or less authentic maidens are made the keepers of the poor creatures who only see in them instruments for repression. They do not represent chastity in their eyes. They represent asceticism with its implacable harshness increased twofold by hypocrisy.

This harshness and hypocrisy are seen in their fixed and reserved look, and in their low and inflexible voice. I shudder as the superior says to us :

“Here are the girls who are not of age.”

¹ *Rapport Bourneville.*

2nd Quartier, 3rd section. This is where they are penned up.

We are taken into an apartment whose only ornament is the universally found Madonna, beneath whom, in a sort of chair, sits an ill-natured-looking nun.

Young girls—some are children—there is one who is twelve years old—are working at some coarsely woven fabric. They will learn no trade in that way.

But it is their dormitory that should be seen! Figure to yourself small cages made of iron lattice-work, with wooden ascents (like cages for monkeys), coupled two and two. The two beds touch, separated only by the lattice-work.

These so-to-speak twin-cages are separated by partitions from each other, only they are so placed in a long apartment that before and behind them is a passage. There is no ventilation in these boxes, and there is entire promiscuousness, save for the lattice-work. There is never any light! You can figure to yourselves these young girls, these children, devoured by ennui, and full of rebellion!

Do not forget that, speaking administratively, the prison is a means for their moral education. Certainly, looking at these cages, we should not have suspected it.

These young girls are, like the others, arrested by the *agents des mœurs*. I do not wish to mention the rumours that are circulated with regard to this subject, but when all is delivered up to arbitrary power anything is possible. History has definitely shown that the *Parc-aux-Cerfs* is no legend.

But let us admit that all is for the best, that everything is done regularly according to an official system. Let us see what takes place.

These young girls are detained whilst the Prefect of Police writes to the *maire* of the parish where they were born. But you know what the governing powers are. In theory this ought to be done, in practice it is done with greater or less regularity.

"And when these proceedings have resulted in nothing?" I asked the director.

"We find places for them," he told me.

"Where?"

The director became embarrassed.

"Come, tell me then."

"IN THE REGISTERED HOUSES!"

The hospital Saint-Lazare, however, is not the worst of all.

At Saint-Jean, at Bordeaux, there is no air: 75 cubic centi-

metres to each woman.¹ The women are laid in heaps along the ground. The windows are almost stopped up.

Treated as wild beasts, they become wild beasts. Eaten up with ennui, they attempt to evade it by playing wicked tricks on the new arrivals, and by disputes among themselves.

An official visit to our maritime arsenals showed that in an hospital subsidized by the naval authorities, the women were removed to a locality looking more like a granary than a ward for sick people, and that they were submitted to no treatment there!²

The same usage at the Antiquaille of Lyons. The attentions that are indispensable to cleanliness are wanting.

Everywhere there is harshness of discipline, pushed to ferocity. In some hospitals a recreation for the nuns consists in putting the patients naked in a courtyard and douching them with a jet of cold water.³

I could not inspect the *Sifilocomios* (hospitals for syphilis) in Italy. The *médecins des mœurs* (surgeons for moral purposes) do not like to show their hospitals to any one.

I recall the welcome that Dr. Thiry gave me at Brussels. M. Alexis Splingard offers to present me to him, and tells me that he will let me see his wards.

Hearing my name, he looks at me and cries :

"Do you think that you will frighten me?"

"My dear sir," I answer, "I cannot for a moment believe that there is anything terrifying in my appearance!"

"Ah! but see you, sir; I do not allow myself to be stopped by considerations of this kind! No, you do not frighten me. I still contend that we must protect prostitution. As for the women, I shall treat them as I know how. They are shut up, and no one shall see them but me! Woe to those who would make them always discontented!"

I learnt from one of the doctor's colleagues that he had made of his wards a sort of galleys, to such an extent that sometimes he scarcely durst enter there for fear of the wrath that had accumulated against him on the part of the wretched inmates.

In the same hospital, on a floor higher up than this hell, there are wards for syphilitic cases, that are free, and where all passes quietly and quite as it should. I received from Dr.

¹ (75 C. C. d'air : c'est bien le chiffre que m'a été affirmé par un interne. —Y. Guyot.)

² Berchon, surgeon-in-chief to the navy, Cong. 1867, p. 435.

³ *Rapport Bourneville.*

Guillery a welcome which compensated me for that of Dr. Thiry. I felt pity for the unhappy creatures who found themselves under the domination of a man of his temperament.

In England, the Contagious Diseases Acts authorize the surgeon to detain a woman nine months.

According to the regulation of General De Wrangel, at Berlin every woman who, whilst diseased, has connection with a man and does not give notice to the police, is punished by an imprisonment of from three months to a year. These makers of regulations stop at nothing ! One very well sees that it is not they who have to suffer by their industry.

The regulations of Hamburg stipulate that every non-registered girl who is found to be suffering from a venereal disease which she could not have contracted in any other way than by sexual congress, shall be punished as having exercised clandestine prostitution (that is to say, not officially registered as a prostitute ; but imprisoned, with bread and water diet every other day). "The declaration of the girl, that the disease was caught from her betrothed, shall not be taken into consideration !"

All these facts prove that people are not yet willing to look upon sufferers from venereal diseases in the same way as they do upon those suffering from other disorders. In the reports at every instant we find the term, "shameful disease." The old ideas of expiation of the pleasure of the flesh, and of the chastisement of heaven, have not disappeared. The police appears to imagine that all who are attacked by these complaints, have contracted them for their pleasure, and that in consequence it is necessary to punish them. It also imagines that these people have only a single prejudice, and that that is, not to take care of themselves !

This prejudice is induced or increased by treating the sufferers badly instead of taking care of them. How should a poor girl who feels herself attacked with disease not have the desire to get out of a hospital which is a prison ?

Formerly, venereal cases taken in at the *hôpital de Vaugirard*, at Bicêtre, at the Hôtel Dieu, and at the Saltpêtrière, were heaped up one upon another—200 patients in 25 beds !¹ They were cruelly whipped at their entrance and at their exit. Now-a-days the police and the doctors always employ the same prophylactic system.

CHAPTER FOURTH.

STATISTICAL RESULTS IN FRANCE.

- I.—Relation of Registered Girls to Population—Proportion of Registered to Non-Registered Girls—Rate of striking off and putting on the Register—Disappearance of Women.
- II.—Registration of Minors.
- III.—Sorrows of the Police—Diminution of Registered Houses.
- IV.—Number of Venereal Cases amongst Girls of the different Categories—Number of Syphilitic Cases—Proportion of Contaminations—Dr. Mauriac.
- V.—A Dangerous Prejudice—Principal Focus of Infection—Statistics of Dr. Schperk—Syphilization.

I.

ALL this abuse of power, all these vexatious proceedings, all this violence ends—in what ?

We are going to see.

The idea of the police is to transform all females who give themselves up more or less to prostitution into registered girls. The number of these should constantly increase. But according to official statistics, taking all within the fortifications of Paris at different epochs, the result is as follows :

YEAR.	Registered Girls. ¹	Date of Census.	Population.	In 10,000.
1812	1293	1808	600,480	21
1815	1854	1817	712,966	27
1820	2746	,,	,,	38
1825	2623	,,	,,	37
1830	3028	1831	785,862	38
1835	3813	1836	868,438	43
1840	3927	1841	935,261	41
1845	3906	1846	1,053,897	37
1850	4357	1851	1,053,262	41
1855	4259	1856	1,174,346	36
1860	4199	1861 ²	1,696,141	24
1865	4225	1866	1,825,274	23
1869	3731	,,	,,	20
1872	4242	1872	1,851,792	22
1876	4386	1876	1,988,806	21
1880	3582	,,	2,225,000	16

¹ Parent-Duchatêlet, t. Ier., p. 32.

² Annexation of parishes within the fortifications.

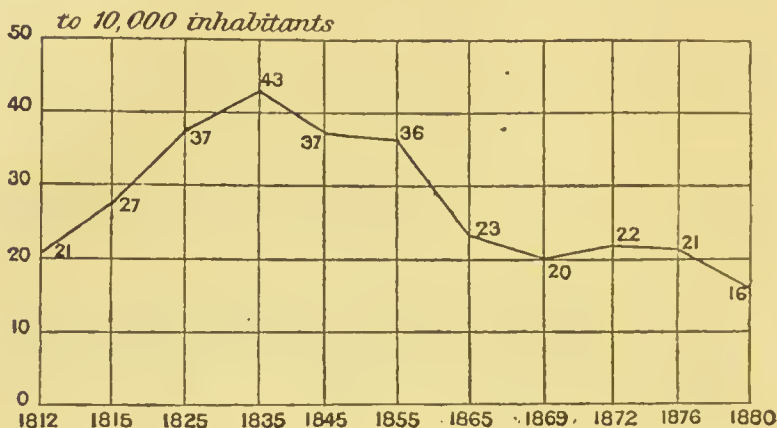


Diagram 1.—Relation of Registered Girls to the Population of Paris.

16 to 10,000 inhabitants !

We have seen that M. Lecour estimates the number of women living by prostitution sometimes at 30,000 and sometimes at 50,000.

I take M. Lecour's lowest figure to give every advantage to the partizans of the *police des mœurs*.

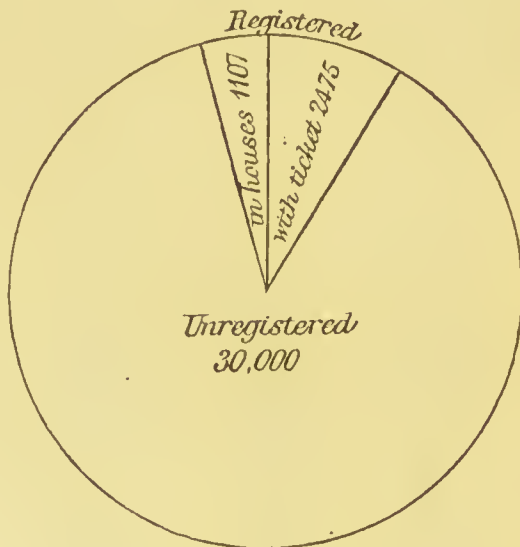


Diagram 2.—Relation of registered to non-registered girls.

Comment is useless. If the non-registered girls are the most dangerous from a sanitary point of view, of what avail is your *police des mœurs*?

We see the figure of 3,500 registered women; we find it a small figure, but upon paper it looks like a constant number. The artless beings who imagine that this human dough is kneaded without producing any rebellion, think that when once the women are registered, they are going to resign themselves to the registration, and to stick to all the obligations imposed on them by the police.

Here is the answer:

Statistics of the arrests and registrations of women, minors, and adults (1869-1880). Arrested, Struck off, Disappeared, Re-registered.

YEAR.	ARRESTED.		New Registrations.	Struck off, Disappeared.	Re-registered.	Total Girls Registered 1st Jany. of each year.
	Registered.	Not Registered.				
1872	7,584	3,769	1,014	813	366	3,675
1873	9,076	3,319	969	1,129	521	4,242
1874	10,454	3,338	1,013	1,704	652	4,603
1875	11,363	3,152	913	1,644	747	4,564
1876	10,408	2,349	614	1,602	794	4,580
1877	9,651	2,582	553	1,557	868	4,386
1878	8,495	2,599	624	1,855	972	4,250
1879	7,735	2,105	272	1,751	1,070	3,991
1880	7,312	3,544	354	1,935	1,159	3,582

The diagram (3) shows that from 1872 to 1880, the number of new registrations has continually diminished. The figure had even diminished before my campaign against the *police des mœurs*, which only began in 1876. Have we not here the evident proof that the organization of the *police des mœurs* is so incompatible with our moral sense, and that registration is so revolting a thing for women, that this honourable institution does not answer?

In the same time, the number of those who are struck off continually increases. For what reason are the greater part of these struck off? Because they have disappeared.

The partizans of rules and regulations imagine and wish to make us believe that, with the assistance of their measures, they establish a stable population, creating a class of docile women who will regularly observe their arbitrary commands, come up for inspection according to order, and resign themselves to be shut up in hospital and remain there during their good plea-

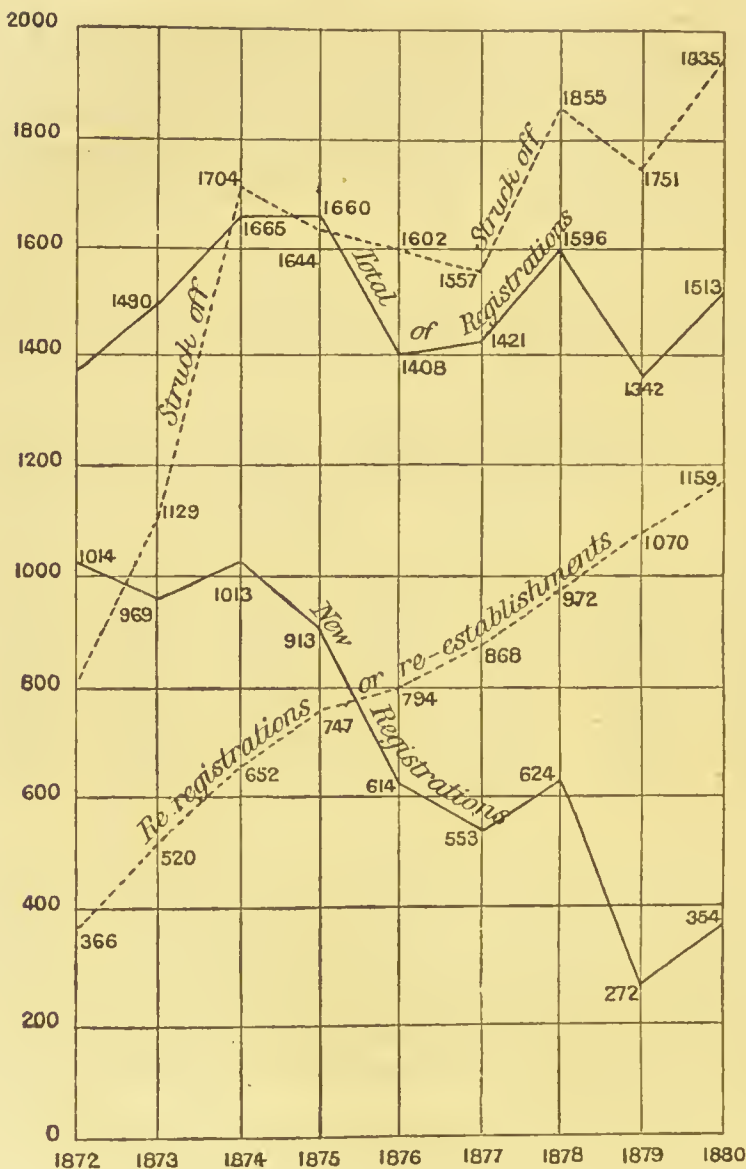


Diagram 3.—Registrations, re-registrations, erasures.

sure. These people who think to direct human nature forget the unruly foundation at the bottom of every individuality, however debased and ground down it may be. As soon as the women find that they are likely to be sent into hospital, they make haste and disappear. Those who are better off, go and

consult a dispensary doctor, before the obligatory inspection. If he tells them that they show no symptoms, they go to the dispensary. If, on the contrary, he says, "You have a suspicious discharge, an ill-looking pimple, an ulceration at the neck of the womb," the woman hastens to get away. She removes to another house, changes to another quarter of the city, or quits Paris, to escape the hospital-prison which is called Saint-Lazare. She then finds herself in a much more dangerous situation than before. Reduced to a life of expedients and concealments, and condemned to seek for intrigues, she is obliged to accept all clients and to multiply contact. Then put yourself for one moment in the place of this diseased woman. She is man's victim, and the man who gave her the disease retains his irresponsibility, whilst she is hunted like a wild beast, and menaced with imprisonment and ill-usage of every kind. This woman will come to the pass of giving her disease with a sort of savage pleasure. That shall be her vengeance! That shall be her revenge upon the men who, after having sought her favours, show themselves implacable towards her, play the discreet, and in the interest of their health would treat her, when ill, as if guilty!

Suppose that she does not proceed to this refinement, that she is simply quite passive, accepting the situation into which she is brought, looking upon herself as a being outside the pale of society, a sort of outcast or waif, having only one right, that of trying to flee from the *agents des mœurs*, the dispensary, and Saint-Lazare, she is not the less dangerous for that. She says she has no responsibility, that all the responsibility belongs to this police, whose creature she is. The police does not discover her, and does not shut her up. So much the worse for the police, and so much the better for her! As to her clients, they are protected by authority. If authority fails to protect them, it is tiresome for them; but that is not her affair, and in all security of conscience she infects them.

II.

Prostitution is recruited from girls who are minors. From October, 1878, to 1st January, 1880, there were 3,445 unregistered girls arrested: 2,305 minors, 1,138 adults.

The number of registrations as public women is, for the same lapse of time, 524, being made up as follows: 510 adults, 7 of eighteen years old and upwards, 7 of less than eighteen years old

M. Camescasse declared to the 7th Commission that he would register no more girls under age.¹

But if they are minors that are arrested in greater numbers than adults, and if these are they that are not to be registered, of what good are these arrests?

If it is the minors, as the police-surgeons say, who, from a sanitary point of view, are the most dangerous,² what becomes of the system since it is these who are allowed to wander freely?

Here we have the proportion of the different categories of registered girls :

YEAR.	REGISTRATIONS.			Registered Houses to the 1st Jan. of each Year.	Observations
	Minors of 18 Years, and upwards.	Minors of 16 Years, and upwards.	Adult.		
1872	160	122	732	142	
1873	188	138	643	138	
1874	174	152	687	136	
1875	149	123	641	134	
1876	115	75	424	133	
1877	92	63	398	130	
1878	114	59	451	138	
1879	7	6	257	137	
1880	9	0	345	133	

Note.—The prefect of police says that it is impossible to give separately the number of registered girls, adult and minors, actually figuring on the register.

See Diagram 4.

III.

The idea is to concentrate all debauchery in registered houses.

The police arrives at the results seen in Diagrams 5 and 6.

The same result at Lyons—number of houses in 1864, 42 ; in 1879, 25.

Of these 133 registered houses in Paris, 18 are in the *département de la Seine* ; so that there remain 116 for Paris.

M. Lecour says, with melancholy : “The number of these houses diminishes ; it will always continue to diminish. From the speculation point of view, these houses scarcely offer any advantages now.”³

¹ 10th December, 1881.

² Parent-Duchâtelet, t. Ier, p. 371.

³ Lecour, p. 256.

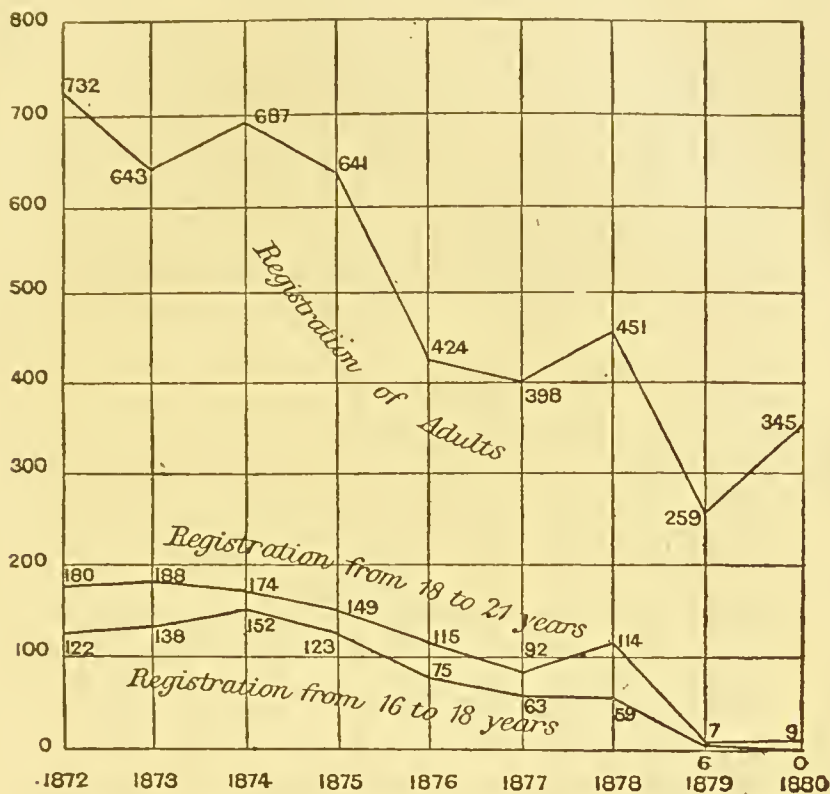


Diagram 4.—Separation of Registrations into those of Minors and those of Adults.

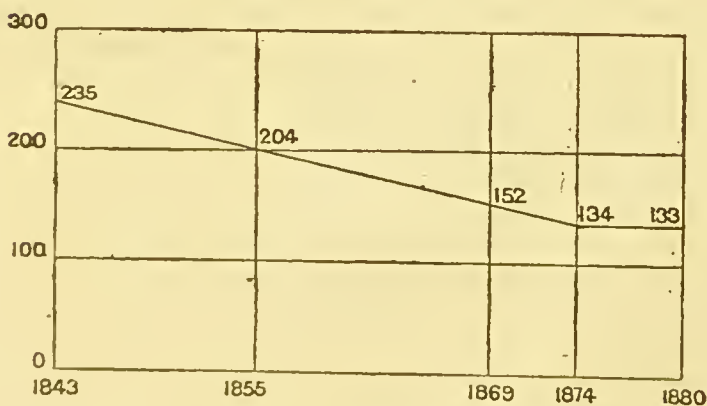


Diagram 5.—Number of Registered Houses in Paris.

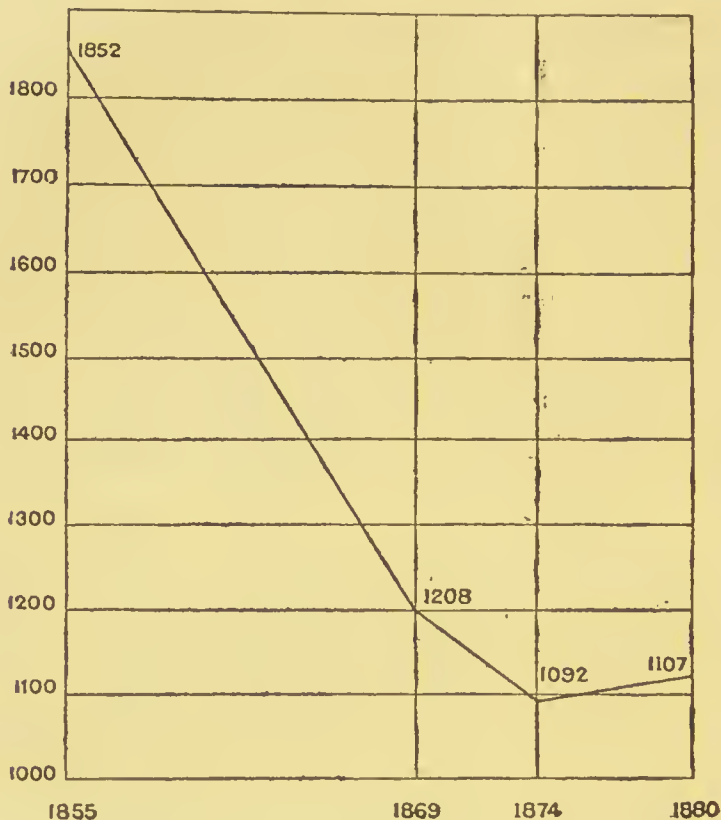


Diagram 6.—Number of Girls in the Houses,

They are no longer frequented by any but “soldiers and foreigners.” Man prefers a meeting that resembles an intrigue. On the other hand, as these houses “are at the foundation of all regulation of prostitution” according to the same M. Lecour, there are only two courses to take:

To give up the regulation of prostitution; or,
To subsidize it largely.

M. Lecour dare not go to this extent. That is a weakness unworthy of an administrator who piques himself on his logic, and on his contempt for vulgar prejudices.

If these houses were subsidized, there would still remain something to do—namely, to bring clients to them perforce.

In opposition to the opinion of the churchwarden of the church at Belleville, I say for my part that from the moral point of view, this is a mark of considerable progress. Man seeks a

free woman ; and into the bargain that may be made between them enter certain elements which tend to refine it.

It will be, one may see, in vain to assist in this way ; multiply regulations, protect the mistresses of these houses, assist in getting recruits for them, help them to maintain their women in their establishments, but you will not make the stream of civilization flow backwards. The further we advance, the more a man will hesitate to enter this kind of bagnio, however luxurious it may be, to have relations with slaves.

IV.

From a sanitary point of view, we must equally felicitate ourselves.

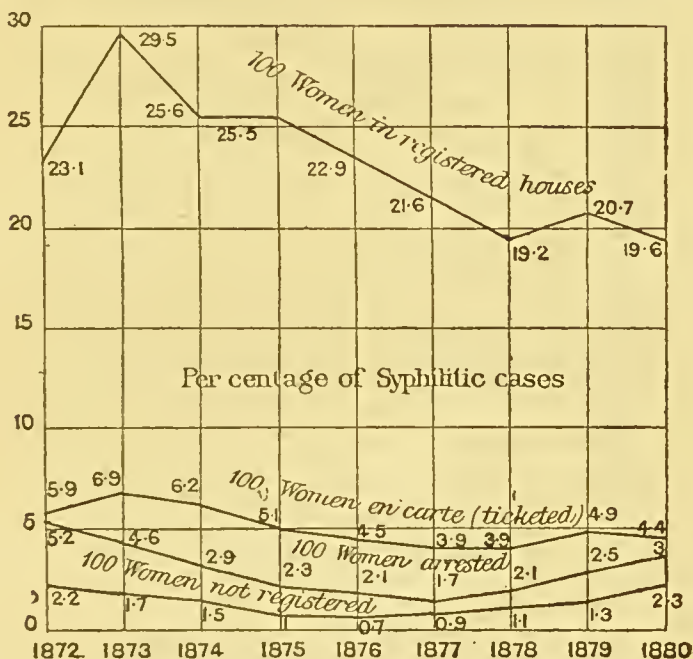


Diagram 7.—Number of syphilitic women according to their different categories.

WOMEN SUFFERING FROM SYPHILITIC DISEASES.

YEAR.	WOMEN REGISTERED.						NOT REGISTERED.					
	Isolated.	Syphilitic.	Per Cent.	In Registered Houses.	Syphilitic.	Per Cent.	Arrested.	Syphilitic.	Per Cent.	Not under the Acts.	Syphilitic.	Per Cent.
1872	3,116	186	5.9	1,126	261	23.1	6,569	343	5.2	30,000	665	2.2
1873	3,460	241	6.9	1,143	338	29.5	7,899	364	4.6	.....	521	1.7
1874	3,458	216	6.2	1,109	285	25.6	9,270	272	2.9	.....	479	1.5
1875	3,496	181	5.1	1,149	293	25.5	10,203	234	2.3	.....	327	1.0
1876	3,348	152	4.5	1,145	263	22.9	9,465	199	2.1	.....	231	0.7
1877	3,129	125	3.9	1,168	253	21.6	8,819	149	1.7	.....	293	0.9
1878	2,879	110	3.9	1,278	246	19.2	7,766	167	2.1	.....	334	1.1
1879	2,597	130	4.9	1,188	246	20.7	7,070	178	2.5	.....	399	1.3
1880	2,313	102	4.6	1,041	205	19.6	6,748	207	3.0	.....	698	2.3

WOMEN SUFFERING FROM VENEREAL DISEASES NOT SYPHILITIC.

YEAR.	ISOLATED.			IN REGISTERED HOUSES.			ARRESTED.			NOT REGISTERED.		
	Number.	Not Syphilitic.	Per Cent.	Number.	Not Syphilitic.	Per Cent.	Number of Inspections.	Not Syphilitic.	Per Cent.	Number.	Not Syphilitic.	Per Cent.
1872	3,116	142	4.5	1,126	229	20.3	6,569	220	3.3	30,000	637	2.1
1873	3,460	219	6.3	1,143	309	27.0	7,899	211	2.6	.....	626	2.0
1874	3,458	217	6.3	1,109	374	33.7	9,270	255	2.7	.....	582	1.9
1875	3,496	203	5.7	1,149	394	34.3	10,203	270	2.6	.....	574	1.9
1876	3,348	176	5.2	1,145	294	25.6	9,465	184	1.9	.....	393	1.3
1877	3,129	169	5.0	1,168	264	22.6	8,819	162	1.8	.....	418	1.3
1878	2,879	114	3.9	1,278	253	19.8	7,766	178	2.2	.....	450	1.5
1879	2,597	80	3.0	1,188	155	13.0	7,071	118	1.6	.....	265	0.8
1880	2,313	65	2.8	1,041	146	14.0	6,748	179	2.6	.....	385	1.2

It will be remarked that in proportion as the *police des moeurs* loses its authority, syphilitic and venereal diseases diminish in number.

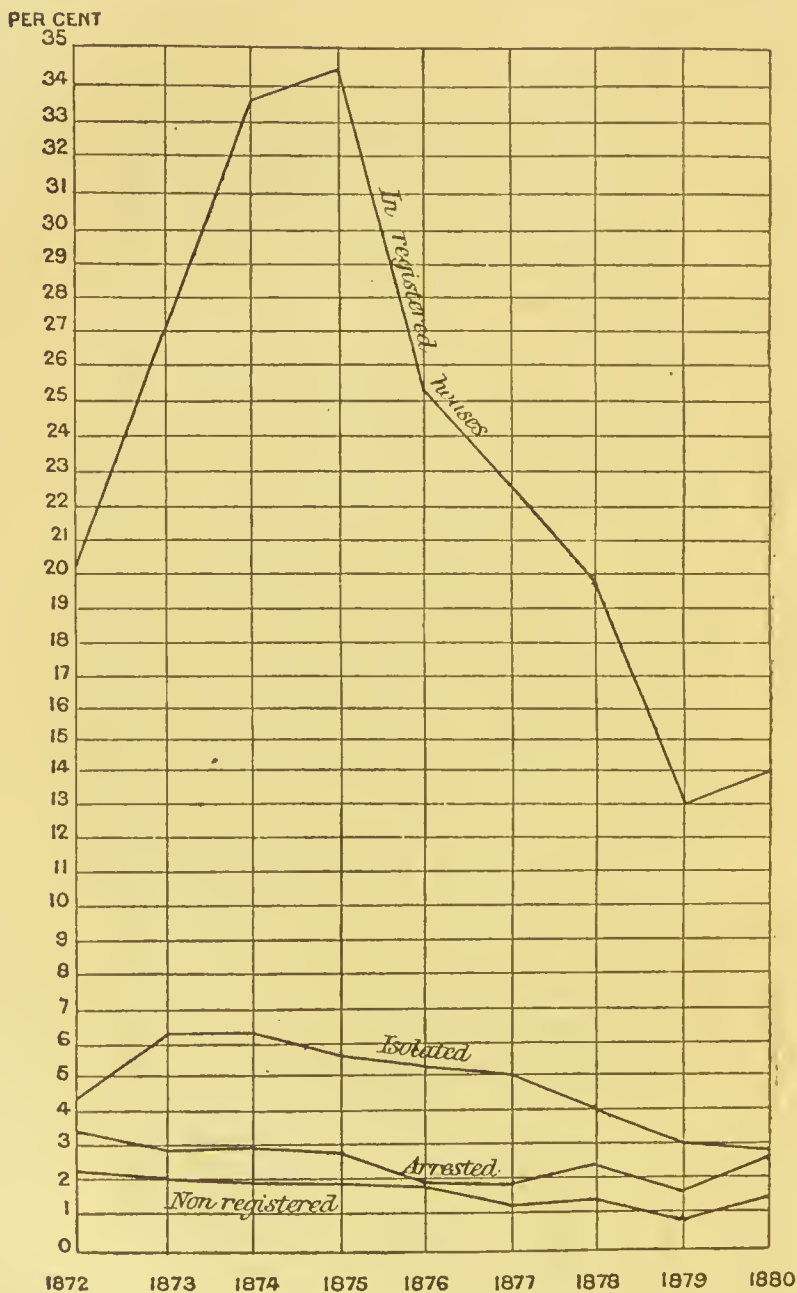


Diagram 8.—Number of women suffering from venereal diseases in their different categories.

M. Buls, a burgomaster of Brussels, followed up his proposal for the regulation of prostitution of the 5th December, 1881, by the table given below :

YEAR.	REGISTERED WOMEN.		ENTERED HOSPITAL.			
	From Registered Houses.	Scattered.	Number of Women.		Entries per Cent.	
			From Registered Houses.	Scattered.	Women from Registered Houses.	Women Scattered.
1871	73	225	35	50	47·9	22·2
1872	72	234	32	58	44·4	24·8
1873	74	234	35	45	47·3	19·2
1874	69	222	20	75	29·0	33·8
1875	81	230	30	72	42·2	31·3
1876	96	217	48	146	50·0	67·3
1877	97	322	49	119	50·5	36·9
1878	122	319	80	97	65·5	30·4
1879	143	249	87	117	60·8	47·0
1880	160	277	85	86	53·1	31·0

See Diagram 9.

He is obliged to state that the number of the diseased is greater in the registered houses than amongst the women who are isolated. Doubtless for this reason we must "protect registered houses !"

Here are other results given by M. Henri Minod from statistics drawn up by Dr. Charles Mauriac.¹

Dr. Charles Mauriac, physician to the *Hôpital du Midi*, devoted eighteen months to a study of the statistics of the principal circumstances relating to the women who had infected the men suffering from syphilis. During the year 1869 and the first six months of 1870 the number of men who consulted him for this complaint was 5,008. It was possible in 4,744 cases to ascertain the source of infection, and this number was made up as follows :

¹ *La Police des Mœurs*, Neuchâtel.

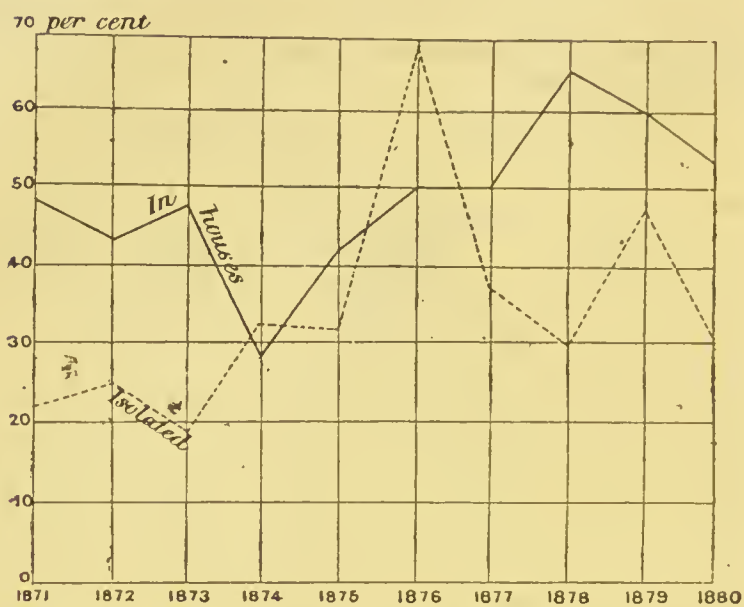


Diagram 9.—Number of Women suffering from Venereal Diseases in Brussels, according to their different categories.

4,012 cases were infected by women not registered.

430 " " women having tickets.

302 " " women in registered houses.

The number of non-registered women being 30,000, that of women with tickets, 2,525, and that of women in registered houses, 1,206, it results that

1,000 non-registered women occasioned disease 134 times.

1,000 women with tickets " 170 "

1,000 women in registered houses " 251 "

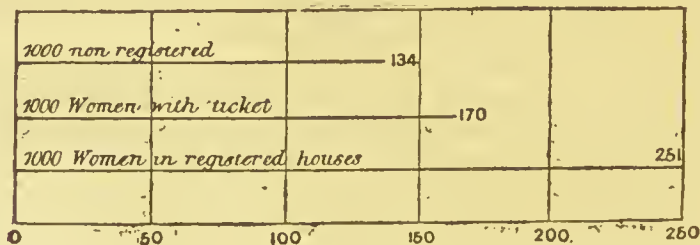


Diagram 10.

During the same period of time, Dr. Mauriac was consulted

in 579 cases of simple chancre (non-infecting or soft). 432 of these were contracted from non-registered women, 59 from women with tickets, and 58 from women in registered houses, whence we have this proportion :

1,000 non-registered women occasioned $14\frac{2}{3}$ of the cases.
 1,000 women with tickets „ $23\frac{1}{3}$ „
 1,000 registered women „ 48 „

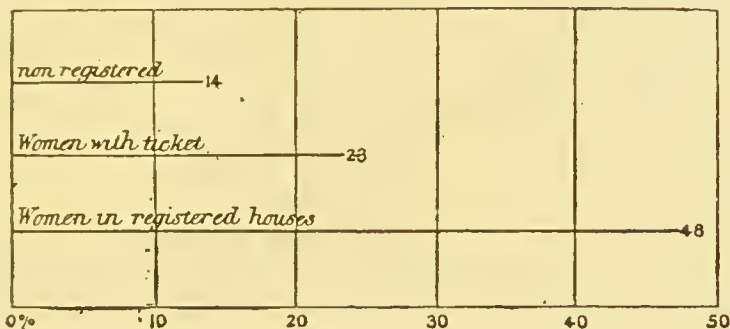


Diagram 11.

A third statistical statement has reference to syphilis. Out of 1,741 cases of syphilis treated at the *Hôpital du Midi* in 1869 and the first six months of 1870, Dr. Mauriac was able in 1,633 cases to obtain sufficiently precise details with respect to the women of whom the disease was caught : 1,414 cases were from non-registered women, 139 from women registered (*en carte*), and 80 from women of the tolerated houses, which gives the following table :

1,000 non-registered women occasioned 47 cases.
 1,000 registered women (*en carte*) „ 55 „
 1,000 women from tolerated houses „ $66\frac{2}{3}$ „

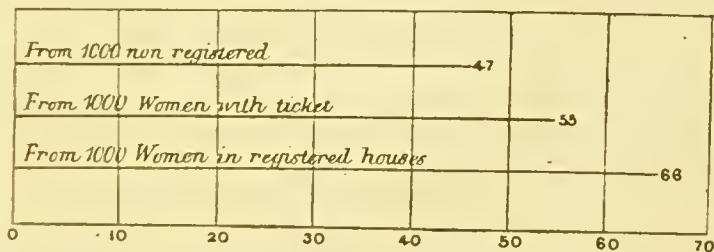


Diagram 12.

It results very clearly from these figures that whilst a thousand clandestine prostitutes give an average of 134 venereal maladies,

a thousand women in tolerated houses give one of 251—that is to say, nearly twice as great—that whilst a thousand of the former occasioned 14½ simple or non-infecting chancres, a thousand of the latter occasioned 48, or more than three times as many. Finally, that whilst a thousand of the former caused 47 syphilitic affections, a thousand of the latter occasioned 66½!

Out of 873 cases of venereal disease interrogated by MM. Puche and Fournier,

625 had been infected by public women (625 is 250 per cent. of 875—625).

52 had been infected by kept women.

24 ,, married women.

20 ,, domestic servants.

100 ,, work-women.

46 ,, clandestine prostitutes.

So that the registered women are 250 per cent. more dangerous than the women who, although polyandrous, are not under surveillance.

V.

I hear more than one reader say to himself with astonishment, after having seen these diagrams :

“What! I who thought that I ran less risk in the tolerated houses, I was in error?”

Quite so; and that is one of the most dangerous opinions that the *police des mœurs* have cherished.

If we take the number of unsubjected women at the lowest estimate given by M. Lecour (30,000), the number of sick amongst them never exceeds 2 per cent.

This last calculation is only based upon an hypothesis, but the two first figures are furnished by the dispensary.

Now, if the registered women who are isolated are less frequently ill than the women in tolerated houses, the greater reason is there for saying that the women who are at liberty are still less frequently so than these, condemned as they are by the police to live only by prostitution.

The theorists of the *police des mœurs* have a blind side and this must be their excuse.

They say, they affirm, they repeat, that the tolerated house is the foundation for all regulation of prostitution, and that their ideal is to shut up all these women in them; they likewise declare that one of their self-attributed missions is to protect

public health; then, they produce their statistics, and their statistics show that they have only multiplied foci of infection.

You think then that they will bow the head before the evidence furnished by themselves? Not at all. They reply:

"It is quite true! We knew it and have even explained how it is."

Parent-Duchâtelet says:

"At first sight everything would seem to make one believe that the women who belong to the mistresses of these houses, being in general better chosen, more looked after, and more frequently and more attentively inspected, ought to afford greater safety than the rest of this class; we, nevertheless, observe the contrary to be the case, a fact easily explicable by reference to the manners and peculiar habits of these women in the different positions in which they find themselves.

"With regard to the generality of isolated women, as they are at home and mistresses in their own rooms, they only admit those there who suit them; they are at liberty to subject those who aspire to their favours to an examination; they often require certain preventive means to be made use of; and as all that they gain belongs to them, they see less company and in-somuch diminish the chances of infection.

"On the other hand, the women in tolerated houses are obliged to abandon themselves to the first comer who claims them, were he covered with the most disgusting ulcerations; there is no retreat if they wish to avoid blows and the most shocking ill-treatment. The mistresses of the houses give them no rest; for, to make use of a comparison which the inspectors have often employed before me, the roughest waggoner, the most rapacious carrying-contractor, take more care of the horses which do not belong to them than do the mistresses of the women by whom they make their fortunes."¹

M. Lecour confesses the same thing:

"Practice has shown that the habits of the isolated women and the relative independence which they enjoy in comparison with the situation of women in tolerated houses, preserve them from dangerous relations in a sanitary point of view."²

M. Carlier, an old dispensary *chef*, says:

"The women in tolerated houses, having only a fugitive *clientèle*, are less careful of their bodies, and less scrupulous of

¹ T. Ier., p. 680.

² Lecour, p. 131.

the health of their visitors¹ (*moins scrupuleuses de la santé de leurs visiteurs*)."

The administrative note of 1864 officially mentions the greater danger which results "from their more frequent relations with men, from the apathetic carelessness peculiar to them, and from their habits generally more irregular than those of isolated women."²

Dr. Mireur, medical director of the dispensary at Marseilles, although a partisan of the tolerated houses, says :

"Out of a hundred cases of confirmed syphilis which I have observed, half of them seen as private patients and half of them as dispensary patients, I have proved, thanks to the particular and disinterested information of my clients, that 62 contagions were attributable to women in tolerated houses, whilst the remaining 38 were due to prostitutes of the town, women registered but isolated, or unsubjected women."³

Dr. Diday, of Lyons, confirms this observation, &c., &c.

Not only are the women in tolerated houses more frequently affected with syphilis than those that are at liberty, but in another direction they are dangerous in the way of spreading the disease : on an average they see not less than six men a day ; in the houses used by soldiers, the numbers become fantastic. Imagine then the ravages that one woman, in these conditions, may cause, if the doctor has not discovered the little erosion on the lips or on the genital organs, thanks to which she may infect all those who see her. Add to direct contagion that which is mediate. The retention in the folds of the vagina of a little of the virus⁴ placed there by one client, serves to communicate it to another, without the woman being attacked by it herself.

In a household, contagion takes place by means of a drinking glass used in common, or a spoon passed to another after having been used. In the tolerated houses, these little daily occurrences are so much the more dangerous as every woman found there has, has had, or will have, syphilis. She will escape it for a longer or shorter period, but one day or another she will have it. She is a victim that the police casts to the minotaur ; and the more victims the police throws in that direction, the greater is the "satisfaction" of pious men like MM. Pasquier, Delavau, and Lecour, and of doctors like M. Clerc, chief sur-

¹ *La Prostitution à Paris, de 1855 à 1875* (*Ann. hyg. p., t. XXXVI., p. 305.*) ² *Supr. p. 45.* ³ *P. 363.* ⁴ *Syphilis et mariage, p. 23.*

geon at the dispensary! Peculiar must be the prejudices in the way of our seeing clearly the nature of this question, when this barbarous result seems so natural, and when the administration exhibits it openly and with placidity, and without fear of exciting universal indignation!

The two diagrams which follow, borrowed from a work of Dr. Schperk, surgeon to the *police des mœurs* in St. Petersburg,¹ furnish proof of the fact that we have just brought forward.

These two diagrams show that the recruiting for the tolerated houses is made from amongst girls who are not of age.

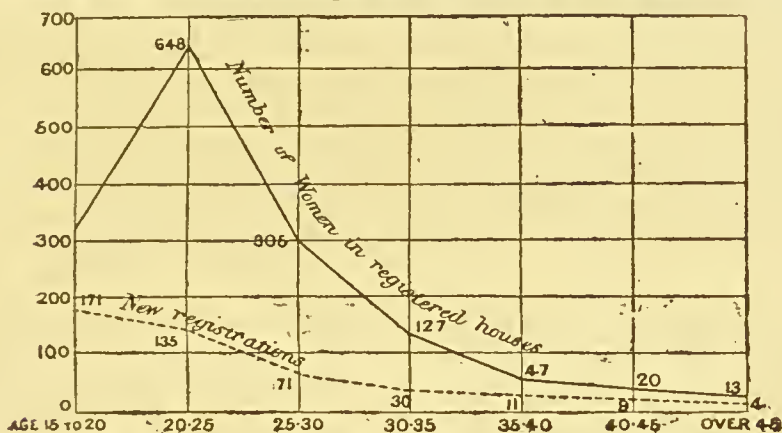


Diagram 13.—Number and age of women in tolerated houses at St. Petersburg.

In the first years of their residence, all are inevitably the priestesses of syphilis.

They continue to be dangerous, during the period of secondary diseases, for three or four years.

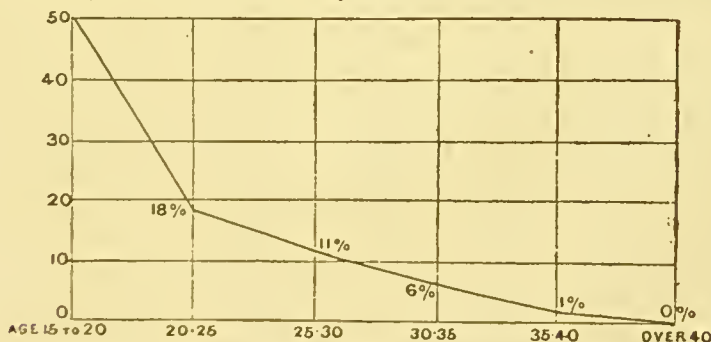


Diagram 14.—Chance of syphilitic contamination according to the age of the women.

¹ *Ann. d'hyg. pub. et méd. légale*, 1875, p. 44.

After that time, as they are no longer susceptible, except to tertiary symptoms, they are the source of no danger except that arising from mediate infection.

Moral: in tolerated houses, only approach those women who are not less than 30 years old.

Is it this prophylaxis that the *police des mœurs* proposes? Be it so; but there is a much simpler method. Inoculate all the women arrested for prostitution with syphilis; imprison them for four years; at the end of this time, return them into circulation with a tatooing of the face which will announce to the consumers of the article that it is warranted!

CHAPTER FIFTH.

STATISTICAL RESULTS OF THE "CONTAGIOUS DISEASES ACTS" (ENGLAND).

Nomenclature of venereal diseases—As in France, not scientific—Causes of error in statistics—Statistics of gonorrhœa—Statistics of primary venereal sores—Relation of secondary syphilis to primary sores—For the whole army—Relation of secondary syphilis to the number of men—Diminution before the Acts—Inquiry at five seaports—Real diminution and calculated diminution—Primary sores—Whole of the army—Proportion of secondary syphilis greater in 1875, 1876, and 1878, than in 1866—Comparison between different towns—Increase of diseased women—Number of deaths in a million—Diminution in London.

WE will now compare the incomplete documents of the administration at Paris with the more important ones which have resulted from the operation of the Contagious Diseases Acts in England.¹

It will be remembered that since 1866 partially, and since 1870 completely, under this name there has been applied to different maritime or naval stations a set of regulations intended to protect the health of soldiers and sailors. Such protestations arose from all parts that, on the 17th March, 1879, the House of Commons named a Commission of Inquiry to ascertain whether the Contagious Diseases Acts had produced any useful effect in a sanitary point of view. We borrow the greater part of the following facts from the depositions, before the inquiry commissions in 1880 and 1881, of Dr. Nevins, president of the National Medical Association for the repeal of the Acts; of Mr. Henry Lee, Professor of Surgery and Pathology at the Royal College of Surgeons, author of the most celebrated English work on syphilis; of Dr. Drysdale, physician to the Lock Hospital of the Rescue Society; of Dr. Routh, hospital physician in London; and of M. Shaen, member of the Senate of the University of London, &c. The figures are taken from

¹ See Chapter Third.

the official tables of Sir W. Muir, published in 1879 and in 1880,¹ and of Mr. Lawson, inspector-general of hospitals.

Dr. Nevins states in the outset that it was several years before he examined the Contagious Diseases Acts; the subject appeared a disagreeable one, and the attacks against the Acts seemed exaggerated; but in his quality of an expounder of medical science, he thought it his duty to take up this study.

English documents have adopted the following classification of venereal diseases:

Secondary syphilis, affecting the constitution, and transmissible to descendants.

Primary syphilis, at first a local malady, which eventually may affect the constitution.

Pseudo-syphilis, a malady sometimes of great gravity, but which does not affect the constitution.

Gonorrhœa, with its consequences.

Primary syphilis and pseudo-syphilis come under the designation of *primary sores*: the same confusion as in France between soft chancres and infecting chancres.

According to the tables of Sir William Muir, the proportion of non-syphilitic venereal diseases to real primary syphilis is about three to one.

The tables take in the period 1866 to 1878, or 12 years. They comprise three years of partial application, and nine years of complete application of the Acts. In 1873 an order of Lord Cardwell's, stopping the pay of the soldiers and sailors suffering from venereal diseases, forced them to concealment and consequently has impaired the accuracy of the reports. The number of admissions into hospital fell immediately from 50 to 42.

Statistics relating to human beings are difficult to compile, because at every moment variations, such as those we have just indicated, alter the terms of comparison. Comparison has

¹ Sir W. 'Muir's Tables, Report of Select Committee, March, 1880. Idem, 1881.

Further information may be found in the important discussion which took place in 1876 at the Statistical Society on an important work by Mr. James Stansfeld, M.P.; in a very complete article of Dr. Chapman, which appeared in the *Westminster Review* in 1876; in his speech at a *réunion* in the *Salle Levis*, April, 1880, pamphlet in 18mo, Paris; and in the *Medical Inquirer*. The proceedings of the Inquiry, which sits permanently, form four great volumes in two-columned pages, quarto, one vol. of which contains 492 pages.

been made between the fourteen stations under the Acts and fourteen stations not under ; but there are a hundred which are not subjected to the Acts.

Cities like Dublin, Manchester, Edinburgh, and London are not comparable to the stations subjected to the Acts. Soldiers do not remain always at the same station. They may come from a subjected station and spread infection at their ease in the unsubjected station ; for if they must undergo inspection in coming to the former, they are not compelled to this on reaching the latter. In towns subjected to the Acts, a great number of hygienic precautions have been taken, which have been completely neglected in other towns. More than this, diseased women, unwilling to be compelled to compulsory cure, leave the subjected stations, and go spreading infection in the non-subjected ones. Notwithstanding all these causes of error unfavourable to the free stations as compared with the stations under the Acts, look at the results that are given by the 28 towns, 14 compared with 14, in Sir W. Muir's official report.¹

The stations intermingle. Canterbury, the archiepiscopal city, in one table is the last but one (*i.e.*, worst but one). It is impossible after seeing these figures to claim any good effect for the Acts.

Much more than this, the Army Medical Report for 1872 says : "The fact remains that the mean rate of admissions for gonorrhœa during the 8 years, 1865 to 1872, is higher in the protected stations than in those which are not protected."

Until 1873 the Acts produced no diminution in the rate of gonorrhœa. In 1873 a marked diminution is seen as well in the free stations as in the stations under the Acts. What is the cause of this (admitted by Sir W. Muir himself) ? Lord Cardwell's Act stopping the pay of soldiers suffering from venereal diseases.

¹ See following pages.

Table showing the average of gonorrhœa in the 28 selected stations, 14 under the Acts, 14 free. Average per 1000 of gonorrhœa from 1867 to 1877. (Partial application of the Acts and concealment of malady from 1873).

Table showing the average of gonorrhœa to 1000 men, from 1870 to 1873. Complete application of the Acts, error due to concealment of malady, eliminated.

Average per 1000.	Stations under the Acts.	Stations not under the Acts.	Average per 1000.	Stations under the Acts.	Stations not under the Acts.
57	.....	Fermoy.	49·4	.....	Fermoy.
60	Windsor		53·5	Windsor	
65	.....	Athlone.	58·3	.....	Athlone.
66	Curragh		63·6	Curragh	
67	Cork.....		67·8	Shorncliffe	
68	.....	Pembroke Dock	70·0	.....	Hounslow.
70	{ Shorncliffe	Hounslow.	73·9	.....	Pembroke Dock
75	.....	Limerick.	74·9	Winchester	
84	.....	Edinburgh.	78·8	.....	London.
87	Dover.....		79·0	Dover	
89	{ Aldershot		80·0	Cork	
	.....	London.	88·9	.....	Limerick.
95	Woolwich		93·9	.....	Edinburgh.
	{ Chatham		97·9	.....	Isle of Wight.
97	Winchester		100·8	Aldershot	
111	.....	Isle of Wight.	104·0	Chatham	
115	Portsmouth		105·8	.....	Warley.
116	.....	Dublin.	116·1	Woolwich	
117	.....	Warley.	116·2	Colchester	
119	Plymouth		120·3	Portsmouth	
121	Colchester		120·4	Maidstone	
122	.....	Belfast.	125·1	.....	Dublin.
131	Maidstone		128·2	.....	Manchester.
133	Canterbury		139·3	.....	Belfast.
137	.....	Manchester.	141·7	Plymouth	
144	.....	Preston.	159·6	.....	Preston.
151	.....	Sheffield.	167·5	Canterbury	
			169·7	.....	Sheffield.

Table showing the average of primary venereal sores from 1867 to 1877, in 28 selected stations, 14 under, and 14 not under, the Contagious Diseases Acts.

Table showing the average of primary sores to 1000 men, from 1870 to 1873. Complete application of the Acts and error due to concealment of malady eliminated.

Average per 1000.	Stations under the Acts.	Stations not under the Acts.	Average per 1000.	Stations under the Acts.	Stations not under the Acts.
30'4	.....	Athlone.	27'0	.....	Athlone.
30'9	.....	Pembroke Dock	30'3	Shorncliffe	
34'1	Shorncliffe		31'9	.....	Pembroke Dock
45'7	Chatham		34'8	Dover	
46'1	Cork		41'2	Curragh	
46'4	Plymouth		42'5	Colchester	
46'9	.....	Fermoy.	43'5	Winchester	
47'3	Winchester		46'4	Portsmouth	
49'8	Dover		48'5	Plymouth	Warley.
50'3	Portsmouth		50'8	Chatham	
51'0	Curragh		50'9	.....	Fermoy.
52'5	Woolwich		55'5	Woolwich	
52'5	Canterbury		55'7	.....	Isle of Wight.
54'9	.....	Edinburgh.	55'8	Maidstone	
55'1	.....	Warley.	59'9	Canterbury	
60'3	Aldershot		61'2	Cork.....	
62'1	.....	Belfast.	63'4	.....	Edinburgh.
63'4	Colchester		66'4	Aldershot	
66'7	.....	Hounslow.	70'7	.....	Hounslow.
72'1	.....	Isle of Wight.	73'2	.....	Belfast.
76'6	Windsor		81'4	Windsor	
77'8	.....	Limerick.	87'4	.....	Manchester.
90'6	Maidstone		91'8	.....	Limerick.
99'3	.....	Preston.	93'4	.....	Sheffield.
99'8	.....	Sheffield.	109'1	.....	Preston.
112'3	.....	Manchester.	137'2	.....	Dublin.
123'5	.....	Dublin.	183'9	.....	London.
170'2	.....	London.			

DIMINUTION OF CASES OF PRIMARY VENEREAL SORES.

STATIONS WHERE THE DIMINUTION WAS GREATER BEFORE THE
ACTS THAN AFTER 1860.

Mean diminution.

	Before the Acts.	Per cent.	After the Acts.	Per cent.
Woolwich, ... 6 years	15·82		7 years	7·12
Aldershot, ... 7 „	6·29		6 „	2·21

STATIONS WHERE THE DIMINUTION WAS GREATER AFTERWARDS.

Mean diminution.

	Before the Acts.	Per cent.	After the Acts.	Per cent.
Plymouth, ... 6 years	9·67		7 years	10·71
Portsmouth, ... 6 „	11·09		7 „	12·17
Chatham, S.S., } 6 „	4·23		7 „	11·14
and Sheerness, }				
Shorncliffe, ... 8 „	9·09		5 „	22·09

STATIONS WHERE THERE HAS BEEN AN INCREASE OF DISEASE
AFTER THE ACTS.

Per 1000.

	1866	1867	1868	1869	1870	1871	1872	1873
	<u>Acts.</u>	<u>Acts.</u>	<u>Acts.</u>	<u>Acts.</u>	<u>Acts.</u>	<u>Acts.</u>	<u>Acts.</u>	<u>Acts.</u>
Cork,.....	49	72	61	73	68	55	62	61
Windsor,.....	{58	.....	136	93	67	78	96	84

The reports of the medical department of the English army contain two columns: gonorrhœa and primary sores. Yet the Contagious Diseases Acts were passed to put a check upon syphilis, and it is precisely upon syphilis that we are supplied with no information.¹ Sir W. Muir answers:

Question 191. “As to secondary symptoms, we have no table distinguishing between subjected and free stations. We cannot distinguish them!”

Question 210. “We do not know where they have been contracted.”

Question 186. “Can you give me the numbers of admissions for primary sores and for secondary symptoms?”

“We have not worked that out.”

This latter work has been done since; but is it not extremely singular that the statements which they forget to make out, are precisely those which are of importance?

¹ Inquiry, 1879.

PERCENTAGE OF SECONDARY SYPHILIS TO PRIMARY SORES.

Free Stations.	Secondary Syphilis to 100 prim. sores.	Under the Acts.	Secondary Syphilis to 100 prim. sores.
1. London.....	24'49		
2. Limerick	24'97		
3. Dublin	29'16		
4. Manchester	30'01		
5.		Dover	32'63
6. Sheffield	33'23		
7. Belfast	33'51	Cork	33'74
8.		Colchester ...	34'50
9.			
10. Warley	35'68	Aldershot	36'38
11.			
12. Edinburgh	37'05	Curragh	37'13
13.		Maidstone ...	38'47
14.		Winchester...	39'35
15.		Plymouth ...	39'71
16.		Portsmouth...	39'75
17.			
18. Hounslow.....	40'49	Chatham	41'02
19.		Woolwich ...	43'06
20.		Shorncliffe ...	45'70
21.			
22. Fermoy.....	47'45	Canterbury...	48'58
23.			
24. Pembroke.....	49'62		
25. Athlone	49'80		
26. Preston.....	52'36		
27. Isle of Wight ...	53'43	Windsor	61'52
28.			
Mean.....38'66 40'82			

We see that the proportion of secondary symptoms to primary sores is higher in nearly all the stations under the Acts.

PROPORTION IN THE WHOLE ARMY (AT HOME).

	Primary Sores to 1000 men.	Secondary Syphilis to 1000 men.	Secondary Syphilis to 100 primary sores.
1864-1866 inclusive.....	86'2	29'9	35
1867-1869 ,, ...	82'8	28'7	35
1870-1872 ,, ...	65'4	23'1	35
1873-1875 ,, ...	54'4	25'5	47
1876-1878 ,, ...	52'4	25'8	49

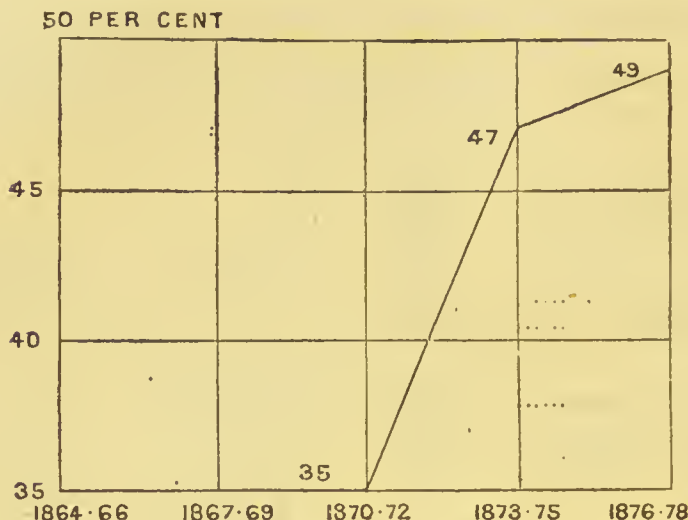


Diagram 15.—Relation between primary sores and secondary syphilis.

Table showing the proportion constantly sick with secondary syphilis amongst 1000 men, in the 28 selected stations, during the 19 successive years, 1860 to 1878.

Name of Station.	Per 1000.	Under the Acts.	Free.	Annual Average per 1000.
1. Cork	29'48	Under		1'55
2. Fermoy	29'49		Free	1'55
3. Pembroke Dock	31'08		Free	1'64
4. Belfast	31'42		Free	1'65
5. Dover	32'53	Under		1'71
6. Edinburgh.....	32'70		Free	1'72
7. Limerick	33'39		Free	1'76
8. Warley	36'36		Free	1'91
9. Shorncliffe.....	36'86	Under		1'94
10. Winchester	37'09	Under		1'95
11. Athlone	37'37		Free	1'97
12. Chatham	37'93	Under		2'00
13. Curragh	38'61	Under		2'03
14. Colchester	40'00	Under		2'11
15. Maidstone	41'29	Under		2'17
16. Aldershot	41'41	Under		2'18
17. Plymouth	44'92	Under		2'36
18. Hounslow	45'65		Free	2'40
19. Sheffield.....	49'33		Free	2'47
20. Portsmouth	47'26	Under		2'49
21. Woolwich	47'26	Under		2'49
22. Canterbury	49'94	Under		2'63
23. Isle of Wight	49'97		Free	2'63
24. Manchester	51'93		Free	2'73
25. Dublin	57'23		Free	3'01
26. London	62'49		Free	3'29
27. Windsor	63'21	Under		3'38
28. Preston	75'01		Free	3'95

These figures prove that, starting from Lord Cardwell's order, the primary sores diminish to a considerable extent; the pro-

portion of secondary syphilis increases. Hence, the disease which is not dangerous is concealed; the number of real syphilitic cases remains the same.

The value of statistics is still more weakened by the fact that the real character of the illness is concealed by the doctors, in order that the soldiers' pay may go on. (Q. 138.)

A glance of the eye at these tables is sufficient to show to what an extent the stations under the Acts and the free stations are mixed up. In consequence, we rightly conclude that there is no apparent connection between the total of venereal diseases, of whatsoever kind, and the presence or absence of the Acts.

Have the Acts had a marked influence upon the health of the army in respect of venereal diseases?

According to Sir William Muir's Table A, embracing a period of nineteen years, the number of men constantly in hospital out of an army of 80,000 men is made up as follows:

Venereal maladies (primary sores),	...	492 men.
Syphilis (secondary),	...	179 „
Gonorrhœa and its sequels,	...	539 „
Total,	...	1,210 „

If we analyze this period, we arrive at the following results, the total number of the army being still 80,000:

In 1860, the first year mentioned in this table, the number of men constantly in hospital was	...	...	1868
In 1866, before the Acts, it had fallen to	...	...	1293
In 1869, before periodical inspections were generally adopted, it had fallen to	...	...	1189
In 1873, before concealment of malady, it fell to	...	...	902
In 1874, the first year of concealment, it fell to	...	...	712
In 1878, it rose to	...	...	842

Before periodical inspections, the average of "constant sickness" had been lowered by 680 in nine years, whilst it was only reduced by 347 in the nine years following, under periodical inspection.

At the request of Sir Harcourt Johnstone, an inquiry was made in five ports under the Acts: Plymouth, Portsmouth, Queenstown, Southampton, and Dartmouth.¹ The Acts were put into operation in the whole of the five ports in 1870. The report divides the period 1866-1875 into two. Here are the results:

¹ *Actes du Congrès de Genève*, t. II., p. 69.

First five years,	{	Primary,	34·72	per 1,000.
		Secondary,	12·72	„
		Gonorrhœa,	28·23	„
			75·67 per 1,000.	
Five following years,	{	Primary,	30·51	per 1,000.
		Secondary,	13·06	„
		Gonorrhœa,	63·08	„
			106·65 per 1,000.	

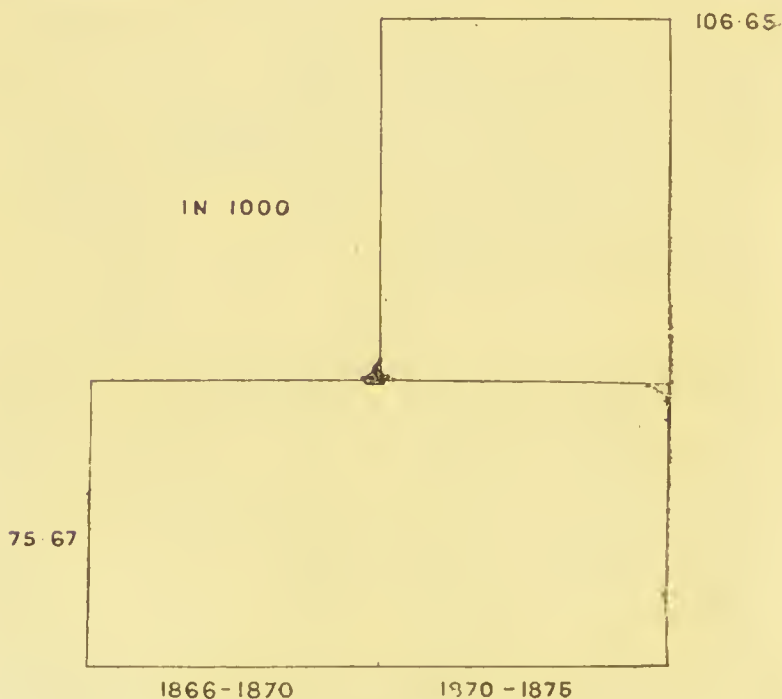


Diagram 16.—Venereal Diseases in Five Seaports.

In the *Royal Adelaide*, the number of sick rose from 25 to 383 per 1,000; in the *Duke of Wellington*, at Portsmouth, from 199 to 422; in the *Excellent*, at Portsmouth, from 73 to 186.¹

Dr. Nevins has made two calculations, to which we call attention.

¹ *Acts du Congr. de Genève*, t. II., p. 73.

From 1860 to 1866, after Lord Herbert's reforms, to which we shall return as showing the real means of prophylaxis, there was in the English army a constant diminution of primary venereal sores.

Dr. Nevins has calculated the results of this diminution, if it had continued in the same degree. The dotted line of Diagram 17 shows the measurement in the supposed case, and the continuous line the actual measurement.

We should then be right in saying that in these fourteen stations the Acts have retarded, instead of accelerating, the diminution of disease.

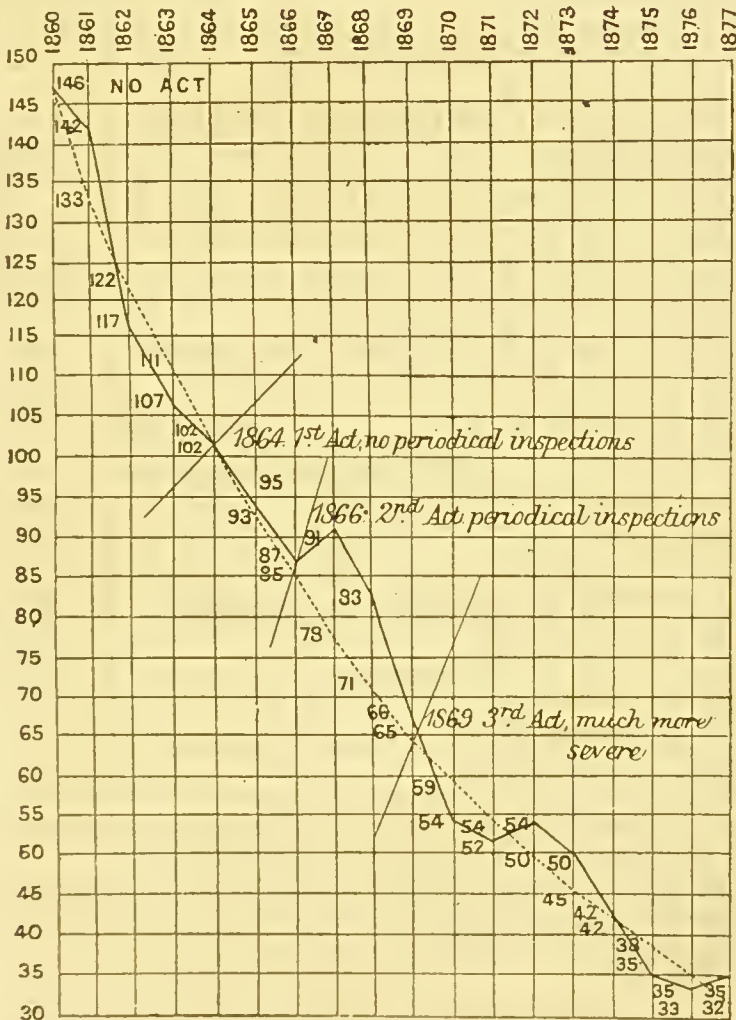


Diagram 17.

Have these Acts had the effect of increasing the number of healthy men in the whole army?

From 1860 to 1866, for the causes which we have indicated, the diminution of the number of venereal cases was constant, on a mean average of 5·956 per cent.

The following table shows the actual daily loss to the service out of 1,000 men, and the loss calculated according to the average of diminution of 1860-1866.

YEAR.	Actual loss to the service per 1000 men.		Loss calculated according to 1860-1866.
1860	23·35	Starting point: corresponds	23·35
1861	23·13		21·96
1862	21·98		20·66
1863	19·94		19·42
1864	19·82		18·26
1865	17·81		17·18
1866	16·16	Corresponds	16·16
1867	17·42	Act of 1866 partly applied	15·20
1868	17·53		14·30
1869	14·86		13·45
1870	12·64	Corresponds. Acts of 1866 and 1869 completely applied	12·65
1871	12·40		11·90
1872	13·22		11·19
1873	11·28	Concealment of maladies	10·52
1874	8·90		9·90
1875	8·54	Corresponds	9·31
1876	8·78		8·76
1877	9·08		8·24
1878	10·53		7·75

But the purpose of the Acts was to combat syphilis, and not those local affections which go under the name of gonorrhœa, or of soft chancres.

Now the proportion of secondary syphilis for the home army is more considerable in 1875, 1876, 1878 than in 1866. (See diagram 19.)

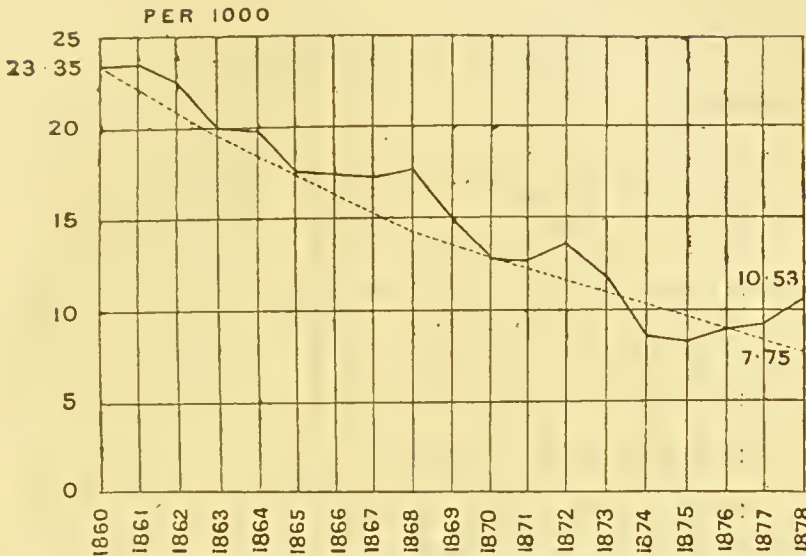


Diagram 18.—Daily loss in the English army from venereal diseases.
(Comparison between the actual loss and the loss calculated according to the diminution of 1860-1866.)

Before the Acts came into force, by means of the simple hygienic measures of Lord Herbert, the figure had fallen from 35.66 per 1,000 in 1859 to 24.77 in 1866.

From a consideration of these facts we have a right to say that the Contagious Diseases Acts have completely failed in their end: the protection of the soldier.

The Royal Commission in its Report for 1871, five years after the Act of 1866, concluded thus:

"It is in no wise proved that any diminution of the number of venereal cases in the men of the army and navy is attributable to a corresponding diminution of cases of illness resulting from the application of periodical inspections of the women with whom these men have relations."

In the inquiry of 1881, Mr. Fowler said to Surgeon-General Lawson: "A man runs more danger of catching true syphilis in subjected stations than in the others." Surgeon-General Lawson was obliged to answer "Yes." (Q. 1801-1809.)

If we compare the numbers of the venereal cases in different cities of Europe, we perceive there also that the intensity of these cases is independent of the existence or non-existence of the regulation of prostitution.¹

¹ See for further details a speech by Dr. Chapman, at the *réunion* of the *Salle Lévis*, April, 1880. Pamphlet in 18mo.

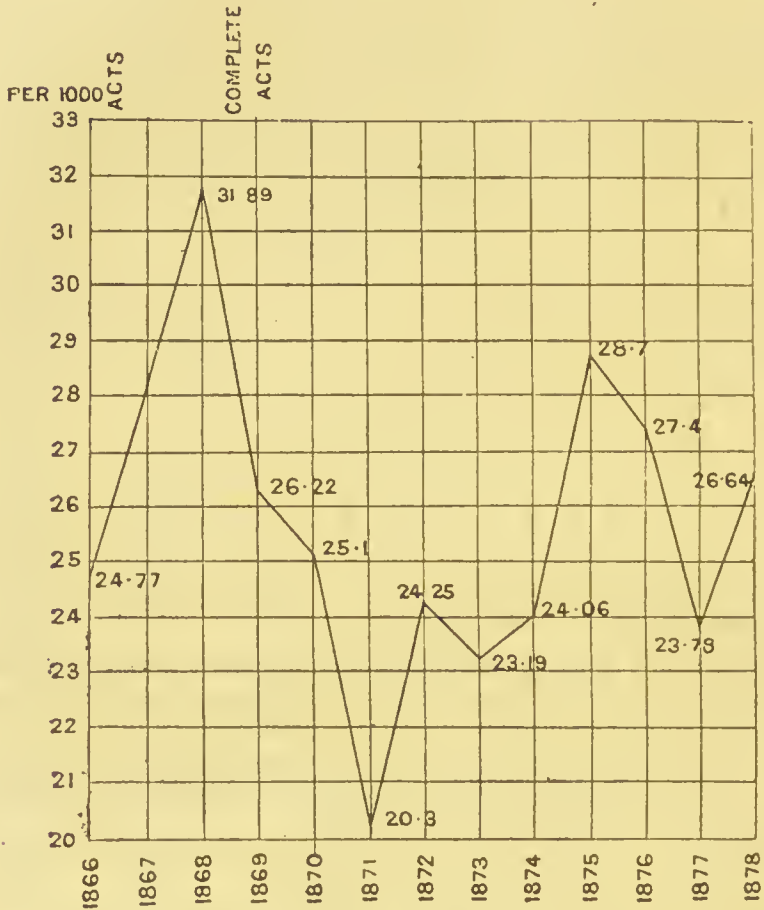


Diagram 19.—Secondary syphilis in the English army, from 1866 to 1878.
Rate to 1,000 men. (According to Major Lawson. Answers 599-609.)

17 great seaports of Britain collectively,
not subjected,

3.7 per cent. of the
hospital cases.

Liverpool,	"	4.3	"
Hull,	"	5.3	"
Dublin,	"	10.4	"
Cork,	subjected,	10.4	"
Plymouth,	"	8.0	"
Geneva,	"	9.1	"
Hamburg, subjected for more than a century to regulation,		11.15	"
Copenhagen, subjected for very long,		13.97	"
Christiania,	"	24.9	"

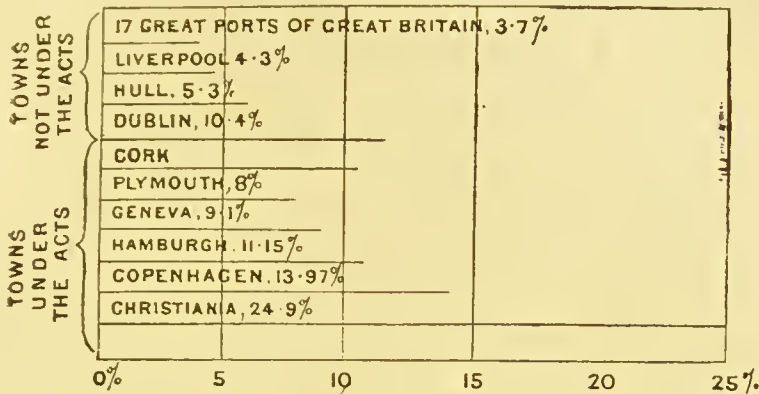


Diagram 20.—Proportion to 100 Sick in different Towns.

The cities in which venereal diseases attain their greatest proportion, then, are the cities subject to regulation.¹

The influence of the Acts upon the prostitutes is no better than it is upon the soldiers.

For prostitutes registered conformably to the Acts in all the stations collectively, venereal diseases were on an average 23.7 per cent. more numerous in the period dating from the operation of the Acts than in the year 1866, when they were promulgated. (See Diagram 21.)

The official report of Captain Harris² gives the following proportions of cases of illness compared with the mean number of registered women (see Diagram 22):

1866	1867	1868	1869	1870	1871	1872
121.6	140.7	202.7	194.7	148.2	135.4	146.9
1873	1874	1875	1876	1877	1878	1879
141.7	137.3	127.0	129.5	148.5	152.9	162.55

¹ This table was presented by Dr. Nevins to the Inquiry Commission of the House of Commons. Colonel Alexander asked from what materials this table had been drawn up. Dr. Nevins answered: "The labour involved in drawing up this table was enormous. I have placed it under the eyes of the Commission on my own responsibility. All the reports from which it has been constructed are in my possession, and I should be happy if the Commission would name a delegate to verify them."

² 1878, p. 5. col. 31.

He makes no distinction between syphilis and other venereal diseases.

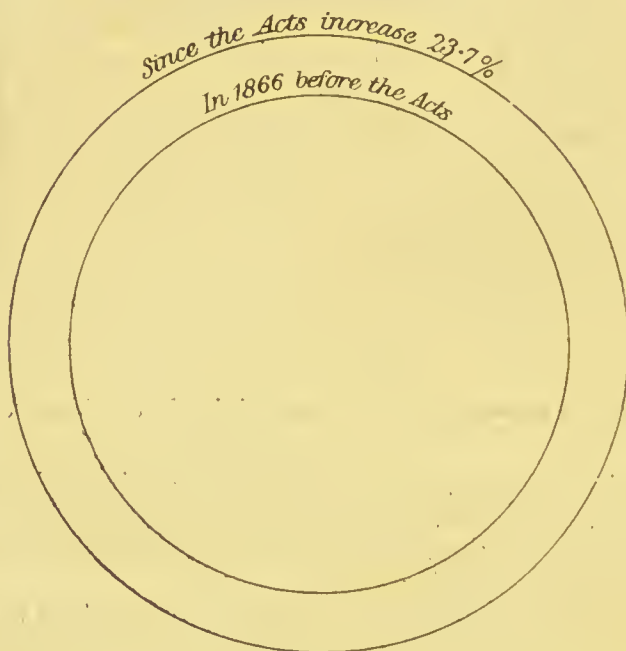


Diagram 21,—Increase in Numbers of Venereal Cases amongst Prostitutes subjected to the Acts since 1866.

Venereal Diseases amongst Registered Women in each Station.

In six of the principal stations venereal diseases have increased since the introduction of periodical inspections.

At Portsmouth in the last 5 years.

„ Plymouth	„	3	„
„ Chatham	„	8	„
„ Aldershot	„	8	„
„ Colchester	„	8	„
„ Greenwich	„	7	„

In three stations the diseases are as numerous to-day as formerly :

At Woolwich in 1871.

„ Shorncliffe „ 1869.

„ Winchester „ 1872.

In two stations they have uniformly increased in the six or eight last years—that is :

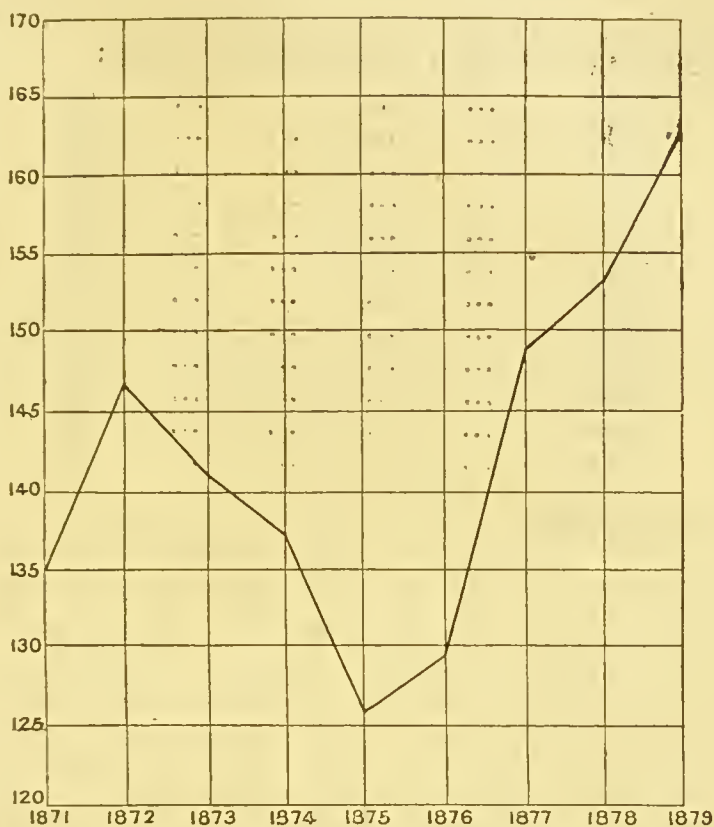


Diagram 22,—Proportion per cent. of Diseased to Registered Women.

At Southampton since 1872.

„ Maidstone „ 1870.

In two stations they have not been modified since the Acts have been in operation—that is:

At Canterbury since 1869.

„ Sheerness „ 1871.

In Deal, a very small station, the fluctuations have been so considerable that we can draw no conclusions here.

In three stations alone out of seventeen have these diseases diminished:

At Windsor, very much.

„ Dover and

„ Gravesend, moderately.

- Relatively to the total of the civil population:

Children count for 74 in 100 deaths attributed to syphilis.

According to the Registrar-General,¹ the number of deaths from syphilis to 1,000,000 (a million) persons was :

1866	...	...	...	...	79
1868	...	...	...	...	83
1869	...	...	...	...	85
1871	...	...	...	...	77
1872	...	...	...	...	80
1873	...	...	...	...	80
1874	...	...	...	...	85
1875	...	...	...	...	90
1876	...	...	...	...	89
1877	...	...	...	...	86
1878	...	...	...	...	88
1879	...	...	...	...	81



Diagram 23,

¹ Registrar-General's Report,

The number has not diminished since the application of the Acts.

At the same time, in London there has been a diminution :

1865-1869	...	144	deaths to the million.
1870-1874	...	129	„ „
1875-1879	...	131	„ „

The decrease amounts to nine per cent.

London is not subjected to the Acts, and their action cannot make itself felt there.

These figures prove that regulation of prostitution, far from diminishing venereal diseases, has a tendency to preserve them, and even to augment their number and intensity.

CHAPTER SIXTH.

ERRORS OF MEDICAL STATISTICS.

These are figures!—Ricord—Dr. Després' figures—Sir H. Holland's figures—All England syphilized—The population of Brussels, and of Brussels with its environs—Dr. Thiry's figures, and the figures of the police—Hospital statistics—Concealment—Lord Cardwell—Method of estimation at the Paris dispensary—Relapse of cases—Ignorance of the doctors—Means likely to falsify statistics—Recruits and venereal diseases—Crews of stationary vessels—Regiments side by side—Bombay—France: difference between cities—Decrease of diseases is in proportion to resistance to registration.

WE shall again see, by means of statistics, that the system of the *police des mœurs* is as wanting in success in England as in France. We have even proved that its action is directly opposed to its own purpose, since its ideal is to multiply tolerated houses, whilst facts prove that the ideal consists simply in the multiplication of centres of infection. Happily this idea cannot be carried out.

Nevertheless we will not say with the ignorant who are not in the habit of handling statistics:

“These are figures! for my part I only trust to figures!”

He who speaks of them with this confidence shows that he is not acquainted with them. Figures, thanks to the art of grouping them, frequently only say what they are made to say. By whom have these figures been drawn up? Have those who drew them up an interest in proving anything? Lastly, what is there underneath? Are the elements from which they are drawn constant, and easily ascertained?¹ These are so many questions before us.

Ricord said that nothing was more difficult to handle than medical statistics. The reason is that they are drawn from human beings who are constantly on the move; and in making these statistics we must take into account not only concealment

¹ See Yves Guyot, *La Science économique*, liv. I. chapter Ier.

and erroneous statements on the part of the patient, but in addition to these quite a crowd of complex elements.

One may be an able physician, and yet have not the least idea of the relations and values of figures.

Dr. Armand Després said in a letter¹ to Dr. Bourneville; "The Jesuits have the fifth part of the whole income of France!" And Dr. Després engages to solve the whole question of prostitution by statistics. As a proof of this he declared to me one day that, according to inquiries of his own, there were only seven registered prostitutes at Rennes. He had taken, instead of the number of women, the number of the registered houses in a single street.

I know what will be said:

"You quote Dr. Després, but it is in vain: no one supposes him to be in earnest, neither his patients nor his colleagues."

During a discussion on syphilis, he exclaimed, "I never have any cases of relapse." "That is not surprising," answered Dr. P——; "when a patient has been in your wards once, she never wishes to come back again there." I mention this fact simply to show what considerations may alter the value of statistics.

But we have now before us figures of English origin, and the English, much more than we, have the custom of statistics. These figures were brought before the Medical Congress of 1867 without being questioned; they continue to be produced, as not admitting of doubt, in all medical congresses; they are quoted, not only in compilations, but also in works of the first order, as that of Lancereaux, without critical reservation. In my turn I quote them:

"Sir H. Holland, who estimates the number of women following prostitution as approximately at 50,000, thinks that in the course of a year, syphilis is contracted by more than 1,652,500 individuals of both sexes. He hastens to add that this number of more than a million and a half probably does not represent one half of the reality."²

Now, in 1854 the population of Great Britain was 27,675,000. Admitting that the figure 1,652,500, with which I content myself, remained constant, in 10 years 16,250,000 individuals would have been infected; in 20 years the whole population of Great Britain would have become syphilitic. The question

¹ March, 1881.

² *British and Foreign Review*, 1854, v. XIII., p. 457.

is solved. As syphilis cannot be had a second time, every English person at the present time, either through his or her parents, or directly, is syphilitic, and protected from infection in the future. They are in the same case as the older prostitutes in tolerated houses ! This is the triumph of M. Auzias Turenne !

The writers on syphilis, who have quoted these figures at different congresses, have none of them thought of this consequence. On the contrary, the greater number of them have used the figures as favourable to regulations which would, if carried out, be rendered perfectly useless.

At different medical congresses, the Belgian doctors, and those of other countries who wish to multiply their duties to their own advantage, instanced Belgium with enthusiasm, and said that there was less disease in the Belgian army than in those of other countries (which is not proved), thanks to the wonderful *police des mœurs* at Brussels.

The population of the city of Brussels is 170,000, but with the suburbs it amounts to 400,000. The *commune* of Brussels is only separated from the *banlieue* or precincts of the city by boulevards of the same kind as the exterior boulevards of Paris. The *police des mœurs* only exercises its powers in the part of the city surrounded by these boulevards. Outside them this police does not exist, and therefore has no action, and no analogous institution has been established in the suburban parishes. It is sufficient, then, for a woman to cross the boulevard to be in safety from the police. It is sufficient that a soldier crosses the boulevard to run the risk, the magnitude of which justifies the action of these honourable magistrates in the eyes of the doctors. Soldiers do not hesitate to incur this risk ; and yet they do not find there either a tolerated house or a woman *en carte* subject to any inspection whatever. They probably find there clandestine prostitutes who hide themselves so well that no one sees them. What then becomes of the famous argument of the pretended small number of venereal diseases amongst Belgian soldiers ? It will not be said that the regulations of M. Lenaers save them, for they are not subjected to them. It must rather be said that it is the absence of regulation which is their safety.

Dr. Thiry of Brussels, a terrible man for the speculum, takes it into his head to make statistics. He publishes the number of registered women in Brussels, whilst the police publishes its own.

See the two sets of figures compared.

	According to Dr. Thiry.	Official.	
1876	420	313	Registered women, either isolated or in tolerated houses.
1877	500	419	
1878	535	441	
1879	677	392	

It is not surprising that the doctors handle their figures so badly. Until the last year or two they have been without the documents which are still wanting in many respects.

It is true that Chapter VI. of the Regulation of the 4th Ventôse, Year X. of the Republic, orders hospital statistics, but a delay of sixty years has occurred in the carrying out of these orders, and they have only been carried out during two years, 1861 and 1862. Dr. Bourneville asked the administration to take this state of things into account, but there was no answer to his request.¹

Lancereaux says that in 1864 there were 3,034 cases of syphilis out of 77,510 patients in the Parisian hospitals. He makes, however, a reservation, by saying that this figure is too high, because owing to the long duration of the disease it comes to pass that the same case is counted twice over.

In these figures we must take into account the element of concealment. According to the Regulations in Paris, the male venereals must only be taken in at the Midi, the females at Lourcine; only the other hospitals receive them by giving their disease another name. This precaution is the more useful as the *assistance publique* still refuses to give the patients any help when they go out.

In the same way, in England, since Lord Cardwell's order stopping the pay of venereal cases, not only do the said cases conceal their disease as much as possible, but the doctors even change its name in order to get the men their pay again.² The sentiment is good, but the statistics bad.

Since venereal diseases are considered as so terrible by the partizans of regulations, they ought at least to furnish us with documents justifying their terror. Now, I have searched the archives of naval medicine, and have found some works of interest. I have been unable to find any statistical documents

¹ *Rapport au Conseil Municipal sur la transformation en hôpital du poste-caserne de la porte Saint-Ouen, 1881.*

² Muir, Inq. 1879.

which could supply terms of comparison. It appears that in Austria, the navy statistics give complete medical reports upon the expeditions of the fleet; but I have not been able to procure them.

The weekly and yearly reports of the English army only date from 1860, subsequent to Lord Herbert's instructions.

In France, medical statistics of the army are published, but they have not been always made on the same plan. The result is that it is impossible to make any serviceable comparisons.

The statistical method of the Paris Dispensary, invented by Parent-Duchâtelet, is purely a *chef d'œuvre* in the art of grouping figures. I take the report of *medecin-en-chef*, M. Clerc, p. 1879, and I quote from the text:—

"The proportion per cent. of venereal cases amongst registered women is '94. 2,105 inspections of unsubjected women furnished 784 cases, or 31'5 per cent. These rigorously exact figures bring into full daylight the enormous difference which exists between the sanitary condition of registered women and that of clandestine prostitutes. . . ."

See how these figures are obtained:

Inspections.	Cases of Disease.	Per Cent.
92,826	907	'94
2,600	784	31'5

There is a much simpler means of reducing the proportion of cases of disease amongst registered women; that is by doubling the number of inspections, then we have no more than 191,752 : 907 :: 100 : 0'47; by again doubling this figure we get 0'23, and we may go on in this way until we come to a homeopathic figure, against which, nevertheless, there is the protest of the crowded wards of Saint-Lazare, and the syphilized inhabitants of tolerated houses.

This method of calculation has been obtained in a very simple fashion: instead of counting women they count inspections. When the women are counted, then the proportion is reversed, and we have the proportions shown in diagrams 7 and 8 of chapter third.

On the other hand, it is necessary to know how many times the same woman has been attacked in the same year; the proportion changes in this way. At my request a note was made of this indication in 1879.

REGISTERED WOMEN.			
Year.	Taken in at Saint-Lazare.	Number of Women.	Cases of Relapse.
1879	976	889	76

See what was the frequency of relapses for chancres and papules :

43	...	...	...	...	two entries.
3	...	...	...	...	three „
1	...	...	...	...	six „

It would be interesting to know if relapses belong especially to women in tolerated houses.

When I run over official documents, I am always thunder-struck with their insufficiency. The people who draw them up do not seem to see any of the questions which they are raising, and the necessity of studying them, or at least of giving data for study to those who wish to make use of them. Thus in England Sir W. Muir declares that he has never considered the percentage of disease amongst the women. Although it is they who infect the soldiers, and although it is against them the Acts are directed, the chief defender of the Acts forgets to consider the result produced on them.¹

Quite lately I met a dispensary physician who encountered me with a most provoking air; two minutes afterwards he was obliged to confess to me that he had never had the curiosity to see the statistics furnished by M. Clerc, and he beat a retreat, saying :

“Oh ! statistics !”

“But they are those of your own side !”

Every administration which pleads for itself, for its system and its functions, arranges things to its own advantage. Perhaps it would be an exaggeration to make use of the word, bad

¹ Inquiry, Answer 270.

faith, in this connection, whilst so much simplicity is imported into the transactions.

In England when a regiment is going to a station under the Acts, the men are examined previously. The result of this examination is to diminish the number of cases of disease. The same precaution is not taken in the case of unsubjected stations. Sir W. Muir was unable to give any reason for this difference of treatment.¹

In the inquiries taking place in England, when the figures are against the partizans of the Acts, they say, "The reason is that supervision is more active, and that we must count cases which were omitted formerly." If the figures are for them, they immediately exclaim, "This result is due to the Acts."

Dr. Myers, re-editing a letter of Dr. Parkes, declared that the number of venereal cases, including gonorrhœa, depended on the number of recruits. He drew from it the following argument: If the number of venereal cases has diminished from 1860 to 1866, the reason is that the number of recruits has diminished; and again, if there has been a decrease in the number of venereal diseases, it is thanks only to the influence of the Contagious Diseases Acts. The argument presented in this way was palpably defective; but if we compare the number of recruits and that of venereal cases, instead of limiting ourselves to simple affirmations without warrant, we perceive that it is absolutely false.

Year.	Cases of Venereal Diseases.	Recruits.
1860	22,100	20,725
1861	19,610	7,591
1862	16,155	4,603
1863	14,289	6,417
1864	13,413	15,309

If we follow this up to 1877, we still perceive that there is no relation between the number of recruits and that of cases of disease.

We have published statistics of gonorrhœa; but Mr. John

¹ Inquiry 1879, Answer 290.

Cockin, staff-surgeon, says, "It is only the grave cases of gonorrhœa which are exempt from service; the greater number are placed on the list of light service and do not figure in the reports."¹

If we compare Plymouth and Portsmouth with another station, we ought to take account of the stationary vessels, such as the *Victoria and Albert*, and the *Osborne*, which are manned by men who are carefully selected, and the greater number of whom are married; and also of the great vessels which are set apart for the education of young sailors, who are under a severer discipline than the older ones.

Two vessels are side by side in the same port, and have very nearly the same number of men. One shall be riddled with cases of venereal disease, the other shall be perfectly free from them. At Plymouth, the proportion varies from 0 to 382 per 1,000 men; at Portsmouth, from 0 to 370. At Plymouth, the *Indispensable* (845 men), and the *Royal Adelaide* (631 men), were stationed near each other for 16 years; the number of venereal cases in the first named ship has never exceeded 32 per 1,000 since the introduction of the Acts; the number in the second has advanced to 383. In the ports not under the Acts, vessels have been stationed during many years without a single case of venereal disease.²

In a part of the Presidency of Bombay, there was an increase of venereal diseases in one year of 23·7 per 1,000, and in another year there was a decrease of 43·6. In one part of Bengal the mean increase was 8·4, and in another part in the same year the mean decrease was 11·4. The averages vary from an increase of 7 to a decrease of 22. In the East Indies, the cases amongst the white men became doubled in one year, whilst amongst the indigenous inhabitants they decreased by 9·9.³

In 1868, according to Mr. R. Lawson,⁴ out of six regiments in garrison at Aldershot, one regiment supplied venereal cases to the hospital at the rate of 124 per 1,000, another at the rate of 114, a third at the rate of 42, and a fourth at the rate of 23! These regiments were placed in the same conditions. The greatest differences existed between regiments placed under the direction of surgeons, who were most careful and painstaking.

¹ *Congrès de Genève*, t. II., p. 72.

² *Enquête de 1877*, A. C. *Genève*, t. I., p. 56, et suiv.

³ S. H. Johnstone, Q. 533-536, ⁴ *Inquiry*, Q. 407-415.

In one of these regiments the men were accustomed to make use of nightly ablutions ; it was the regiment which gave cases at 124 per 1,000. The neighbouring regiment, which did not follow this practice, was the one at only 42 per 1,000. These differences are found to be as pronounced between two regiments of cavalry as between two of infantry.

The same for variations from year to year. Mr. R. Lawson¹ is obliged to recognize the fact that they are as inexplicable as the variations of smallpox or measles. Mr. Stansfeld says² to Mr. Robinson, surgeon-major of the Scotch Fusilier Guards : " The number of admissions for primary sores at Windsor from 1867 to 1878 is at the rate of 73 per 1,000. In the Isle of Wight, which is a free station, the average during the same period is 73 per 1,000. At Warley, the average is 62 ; at Hounslow, 67 ; at Pembroke Dock, 30 ; at Edinburgh, 57 ; at Fermoy, 45 ; at Athlone, 31 ; and at Belfast, 71. Consequently all these averages are less than those of Windsor. But in London, the average is 176 ; at Sheffield, 100 ; at Manchester, 120 ; at Preston, 98 ; at Limerick, 79 ; and at Dublin, 125. Here the average is greater." .

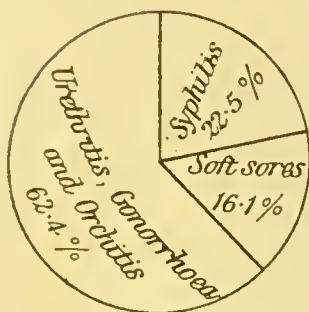
Then Mr. Stansfeld resumes : " Supposing that these figures are correct, is it not evident that the number of cases of disease depends much more on the character of the station in which the soldiers find themselves, than in the existence or non-existence of the Contagious Diseases Acts ? " Mr. Robinson : " Certainly." Mr. Stansfeld : " Is it not clear that according to these figures, with the exception of very large towns, every one of the stations not under the Acts gives a smaller figure for admissions for primary sores ? " Mr. Robinson : " According to these figures, I admit that this is true." .

In France, according to the report for 1879, the general average for venereal diseases is 156 per 1,000 cases of illness. The highest averages are those for Brest, 374 ; Verdun, 368 ; Joigny, 298 ; Strasburg, 264 ; Besançon, 250 ; Nancy, 247 ; Caen, 244 ; Lille, 238 ; Rennes, 237.

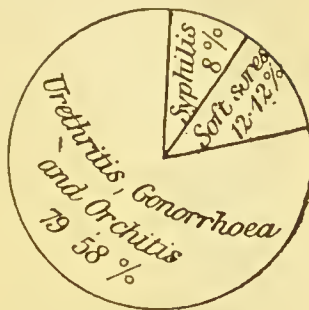
Before 1875, medical statistics made no distinction between syphilis, soft chancre, and gonorrhœa. Now syphilitic cases compose but the smallest part of those suffering from venereal diseases. Nearly all are attacked with gonorrhœa, and we have shown that inspections were entirely powerless to preserve them from it.

¹ Inquiry, Q. 445-446.

² Inquiry, 1879, Q. 2180-2181.



HOSPITALS.



INFIRMARIES.

Diagram 24.—For the Year 1877. Proportion of different venereal diseases in the French army.

We give, from the statistics for 1877, the proportion of syphilitic cases relatively to other cases of venereal disease in the different garrison towns.

Paris is one of the cities with the least proportion of syphilitics. The proportion has completely changed at Brest. Wherefore? Whence come these variations in towns where there is everywhere a *police des mœurs* organized pretty nearly on the same model?

For the garrison of Paris, Versailles, and its environs, the average is only 162. These great towns, then, exert no pernicious influence.

But the number of sick is not a perfectly exact method of measurement: epidemics may alter these relations. Let us then compare the number of venereal cases with the number of efficient.

According to the general report for the eight years 1862-1869, the proportion of venereal cases in the army of the interior was 95 to 1,000 efficient and 55 to 1,000 sick; in the Pontifical States, 71 to 1,000 efficient and 31 to 1,000 sick; but in the Pontifical States there was no *police des mœurs*!

Lastly, all the defenders of the system state that the *police des mœurs* has lost its action of late years, and that the women show much greater resistance to registration. With the aplomb which characterizes them, I have heard the prefects of police, including M. Camescasse, accuse the adversaries of the *police des mœurs* of exaggerating the number of venereal cases for the year.

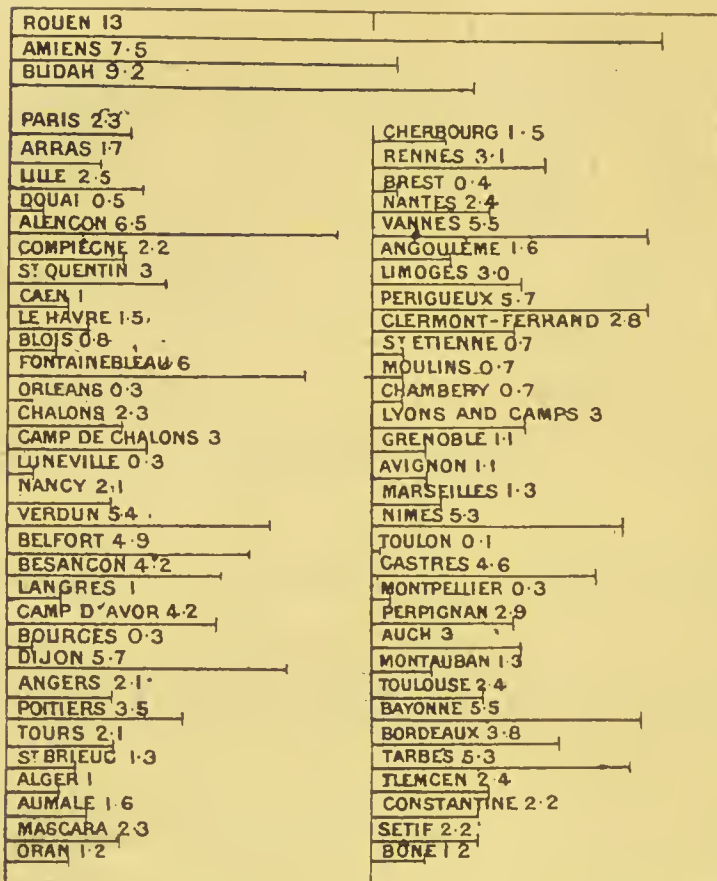


Diagram 25.—Proportion of syphilitic to other diseases amongst soldiers in the different cities in France.

Now the yearly medical statistics, starting from 1875, show that there is a constant decrease. Those who drew up the statistics have not calculated the proportion of venereal cases to 1,000 efficient, but this task has been performed by Dr. Mathieu, professor at the *Val-de-Grâce*, by comparing the number of venereal cases admitted into hospitals (Table III. *a*), and infirmaries (Table IV. *a*) with the average number of efficient:

Year.					To 1,000 men.
1875	...	...	...	...	75
1876	...	...	...	...	57
1877	...	...	...	...	58
1878	...	...	...	...	60

Published statistics go no further than this latter year.

"The difference is entirely to the advantage of our young army," concludes Dr. Mathieu.

In France we come to the same conclusion which Mr. Stansfeld arrived at in England, that the decrease in the number of cases of disease depends on the character of the soldiers and not on the *police des mœurs*.

CHAPTER SEVENTH.

AVOWALS OF POWERLESSNESS.

“Solicitude”—“The Rock of Sisyphus”—Resistance of the women—Provocation of minors to debauchery—Provocation to debauchery—Sanitary consequences—Avowals : Mireur—Dispute between doctors and police—Powerlessness.

ACCORDING to M. Lecour, the police has for prostitution “a solicitude which is enlightened, attentive, and full of gradations which extend to all its details.”¹ Notwithstanding these delicate attentions, it finds itself face to face with “the difficulties, ceaselessly coming to the surface, which prostitution raises up for the police.”²

“It is the rock of Sisyphus.”³

In spite of all the hunting, raids, and arrests, “the non-registered women in Paris constitute the majority of those who follow prostitution,”⁴ and yet “order (!), morality (!), and public health (!), absolutely require that prostitutes should be made subject to administrative and sanitary obligations.”⁵

Only they do not let this be done. It is impossible to register all ; and of those who are registered the greater part have only one pre-occupation—that of eluding the police.⁶

Parent-Duchâtelet was obliged to state that registration even was an obstacle.

“It is necessary to observe,” he said, “that we do not compel all the women who remain outside Paris to become registered in our books, as we do in the case of those who remain in the city ; for it has been remarked that it was much easier to succeed in respect of these outsiders by means of a little management, and as a result of finding them again.”⁷

It has never for a single moment entered the head of Parent-

¹ P. 101. ² P. 91. ³ P. 104. ⁴ P. 145. ⁵ P. 147.

⁶ Lecour, *Etat act. de la prost.*, 1874, p. 20.

⁷ Parent-Duchâtelet, t. I., p. 569.

Duchâtelet that if this was the result in the case of women living in the suburbs, it might have been just the same for women residing in Paris.

M. Lenaers, in his report for 1876, stated for his part that the persecutions of the police had the consequence of increasing "the effrontery of the women."

Delamarre, in his *Traité de police* under the old régime according to the ordinances of 1864 and 1713, declared that "it was desired that the public women should be nowhere, and that they were everywhere."

"It is an erroneous idea," resumes M. Lecour, "that the repression of prostitution can result in its suppression.¹ It is entrapped, trampled upon, and obliged to live in solitude, and then seems to have disappeared. It is nothing of the sort, for it develops itself clandestinely as much as, if not more than, it would do in full daylight."²

The *police des mœurs* imprisons 500 women : that is all that the quarter Saint-Lazare can accommodate ; if there are 30,000 of these women, then there are always 29,500 at liberty.

It makes raids in the furnished apartments, because it does admit that women prostitute themselves otherwise than in rooms the furniture of which is their own private property. When it sets them at liberty, does it give them furniture ?

It sends them into tolerated houses ; and yet, notwithstanding all its efforts to protect the proprietresses, the number of these houses and the number of boarders in them is diminishing.³

More than this, it cannot shut up minors in these houses without making the occupier run the risk of infringing article 334 of the penal French code, article 376 of the penal Belgian code.

It declares that prostitutes are especially recruited from girls under age ; that it is these who are the most dangerous. It arrests 2305 of these minors in a year ; it only registers 14 of them, and at last gives up registering them altogether !

We have seen that M. Buls, in his letter of 13th December, 1880, declared that the *conseil échevinal* of Brussels was right in ordering registration of minors, and in his report of December, 1881, he acknowledges that he is obliged to give up their registration.

¹ P. 48.

² P. 101.

³ Lecour, *Etat act. prostit.*, p. 53, v. supra, ch. iii.

The *police des mœurs* has checked its own kidnapping of minors for purposes of debauchery since it has lost somewhat of its vitality and vigour. Conclusion : its tendency to favour and excite the debauchery of young girls is in direct ratio to its power and irresponsibility.

The *police des mœurs* pretends that it is designed to be a safeguard to public morality ; and it authorizes women to incite to debauchery in the street, and protects establishments whose aspect alone is a provocation to debauchery.

"Unsubjected prostitutes are everywhere," says M. Lecour.¹ Then of what avail are the subjected ones ?

These are the results looked at simply from the police point of view.

From a sanitary point of view are they better ? Statistics answer this question.

If statistics were voiceless, it would suffice to cast a glance at the nature of syphilis and the organization of tolerated houses to arrive at the conviction that the police creates centres of infection.

It suffices, in short, to see in what way the hospitals devoted to venereal cases are constituted to perceive that, instead of taking care of them, the police, with zeal worthy of a better cause, does all that lies in its power to prevent them taking care of themselves.

The doctors, who are partizans of the *police des mœurs*, prove all these the consequences.

M. Mireur recognizes the fact that the evil inherent in prostitution has from all time opposed an irresistible force against those who wished to employ violence to repress it.²

He adds that inspection, as its consequence, allows "a woman in possession of a permit the unchecked habit of infecting officially, and under the cover of authority, all the men who have relations with her."³

The doctors who have at a greater or less distance examined the system, and who affirm its insuccess, lay the blame of it on the police.

Dr. Jeannel reproaches the French administration, and "above all the Parisian administration, for the absolute confidence in itself and the certainty of realising the ideal of perfection which characterises such bodies," and he reproaches the police of Paris for protecting clandestine prostitution !

¹ P. 145.

² Mireur, p. 218.

³ P. 362

M. Lecour is angry, and briskly replies : "I should much like to see you at it!"¹

"Every new sanitary demand increases the number of those who are behind hand in coming up for inspection, and gives rise to disappearances."²

And he invokes in its favour the opinion of Dr. Seitz, who said, in the Congress of 1867 :

"Excessive severity against prostitution compels it to hide itself and renders it more harmful to public health," and to confirm his remark, he quotes the example of Bavaria in 1861.

Dr. Diday accuses the administration of vexatious conduct towards women, and of shutting them up in hospitals, where they are looked upon as criminals. He would like "to try to obtain from prostitutes, by gentle methods, the guarantees that society has a right to ask of them."

Then M. Lecour never ceases his pleasantries about the attractions of a hospital, and refers the physician to his physic, reserving to himself only his great ability as a policeman.

Policemen and doctors only agree on one point : the powerlessness of the system.

We are then in accordance with them on this point ; but whilst they reciprocally disown the responsibility of this result by imputing it to defects in the method of application, at the same time retaining absolute faith in the excellence of regulations, of inspections, of tolerated houses, and of registrations, we say that, vicious in its origin and subject to all infectious influences, such an arrangement can only end in miscarriage.

¹ *Etat actuel de la prostitution*, 1874, p. 23-27.

² *Etat act. de la prostit.*, p. 33.

THIRD PART.

THE ABOLITIONISTS.

CHAPTER FIRST.

A PRESS LAWSUIT.

Cruelty, simple and cold-blooded—Mutual good offices between newspapers and police—A colleague—An embarrassing question!—Where is the authoritative voice?—Tempests—The atrocities at Lyons—Burial of Mlle. Delescluze—Mlle. Rousseil—My article in the *Droits de l'homme*—The Municipal Council—My offences—Discussion of the Municipal Council—The *proposition Thulié*—M. Blin des Cormiers—M. Voisin's deception—International solidarity.

THE police functionaries and the police surgeons disputed amongst themselves, but they all agreed in maintaining the system which offered them money and authority. They had only one regret, that they could not give this system an extension proportioned to their desires.

They were much at their ease, and had no suspicion that the excellence of the system could be disputed, so that M. Lecour naïvely published his book upon Prostitution, where, with a want of consciousness that made matters worse, he again brought forward the confessions of Parent-Duchâtelet; Dr. Jeannel, physician to the Bordeaux dispensary, corroborated them; M. Maxime du Camp completed the revelations: all, with the same simple and cold-hearted cruelty, spoke of the women who are under police supervision. They considered these unhappy women as creatures set apart, having neither muscles, blood, or nerves, and as being incapable of volition, action, and suffering. They seemed inspired by the old theory

of Descartes with regard to animals, whom he looked upon as simple machines.

The press was silent. The day following the arrest of the Demoiselles Parent, the 30th November, 1867, the *Temps* had an article directed against the proceedings of the *police des mœurs*, which it considered as unworthy of our age. Then all relapsed into silence. Sometimes, it is true, some one of the journals which are specially devoted to the claims of "venal gallantry," and which pose as the official monitors of easy morals and police, all at once would raise great outcries against the scandals of prostitution—amongst the poor, whilst it published in its first page the great deeds of prostitution amongst the rich. Then it would demand that the pavement should be swept clean, and that the scandal should be put a stop to by the police. The police would organize a battue—by way of having their turn! The next morning this journal would narrate the details of the affair, approving them by their pleasant words and their praises of the vigilance of the police, "the intelligent peace-officers," who had directed the battue; and then would parade itself before its readers: "Ah! you see that I have influence! and that the police listen to me when I speak!"

I ought to say that there would even be a certain number of its readers, and these entirely worthy of it, who would shake their heads in sign of approbation, and say, "It is true indeed!" and who would feel themselves united to their journal by a new bond.

When I read such narrations, when I had proof of such mutual consent in brutal meanness, my blood would boil with indignation.

My old memories of the troops of unhappy women flocking together to give themselves up to inspection at Rennes¹ recurred to me. I recalled a tale which was told in my presence when I was quite a child, by a respectable gentleman, now and for many years past deputy-mayor in a town of Brittany. In a drawing-room, and for the amusement of honest citizenesses, he recounted how the night before he had seen a woman arrested by two police-agents and dragged to prison. He had followed her there with one of his friends to amuse himself with her cries of despair and entreaty. I still hear the honest

¹ See Part II., Chapter Second.

women answer in chorus: "Oh! then it was just what she deserved!"

I indiscreetly asked what the unhappy woman had done. The deputy answered me with a smile, and full of consideration for my innocence: "She had solicited some one." In vain did I try to fathom this answer; it did not appear to me a sufficient reason to justify the arrest; at the present day it satisfies me no better.

Ever since then I had the vague perception that these were women whom the police might arrest at their good pleasure, and that their tears, sobs, and despair might appear very droll to gentlemen and ladies. Soon the experience of life confirmed me in the reality of these facts, and only increased my indignation.

My anger was brought to a white heat and forged into shape by deeds which I witnessed, and narrations which I heard from unhappy women at Rennes, by two razzias which took place in my neighbourhood when I was afterwards in Paris, and by a band of four or five women whom one evening I saw fly past in breathless haste; by raids upon furnished rooms with women sent into the street, shivering with cold and sobbing in the midst of coarsely behaved or indifferent policemen; by arrests accompanied with odious brutalities; by histories, and by legends even truer than histories, for they exactly defined the character of the actions of the *police des mœurs*.

Nevertheless, except in conversation with friends, I said nothing. I confined myself, in *La Municipalité*, in 1872, to writing in a moderate fashion a critique on M. Lecour's book, and to putting the question down in my *Lieux communes* (1873). I was continually hoping that some one who had great social and political standing and the voice of authority, would make it his own question. Knowing the character of my compatriots well, I above all wished that the question should not become the subject of ridicule, and I said to myself, "I must not compromise it; I will wait until I am sufficiently strong to engage in it victoriously."

When I was elected municipal councillor in 1874, the police were redoubling their violence and multiplying their arrests; it felt itself protected by a government which from one day to another might call it to assist in a *coup d'état*. I then asked myself: Shall I allow the vote of the budget for the prefecture of police to pass without protest?

I did not feel myself sufficiently influential either within the

municipal council, or outside it; I had no journal at this time, and I kept silence.

In the month of September, 1876, so memorable for its tempests, I was at Brest. One day, when a strong wind was blowing across the roadway for ships, I was about to embark in the little model boat of Captain Béléguc, the builder of the *Renard*, whom circumstances, administrative routine and the difficulties which spring up before all independent and original men, have prevented doing all that he might have done. The wind was rushing violently through the *Rue de Siam*; the rain was streaming from my hat, and down my macintosh. I bought a paper of a newswoman who seemed astonished at my boldness in venturing out, and went to a pastrycook's for a glass of sherry.

There I unfolded the paper and read the following different narrations :

Lyons.—A girl of about twenty, named Mélanie M——, was accosted at the railway station of Perrache by an agent of the police dressed in plain clothes, when she had just joined company with a traveller. At a sign from the agent, two guardians of the peace came up, laid hold of the girl M——, and in spite of her vehement resistance, wanted to take her to the police station.

A terrible scene ensued. The unhappy girl, struggling desperately, threw herself on the ground, and tried to kill herself by dashing her forehead upon the pavement; the agents pulled at her in all directions with extraordinary violence. An hôtel omnibus was coming along: the driver could not stop his horses in time, and the wheels rolled over and crushed the girl's feet. A crowd formed; many persons honourably known in the quarter, moved by a feeling of charity and pity, wished to interpose. They requested the agents to leave the injured girl at the *Hôtel de l'Univers*, where they might come for her next day. As to the expenses, they offered to pay them. The agents refused, and succeeded in dragging the poor girl to the *poste* of the tobacco manufactory; the girl, notwithstanding her cruel sufferings, struggling more than ever. A surgeon demanded her removal to the Hôtel-Dieu. A cab passing by, she was thrown into it; one of the agents placed himself by her side, the other got up in front. Coming to the *Quai de la Charité*, the girl suddenly opened the door and threw herself into the Rhône where she was drowned. Her dead body had not been found two days afterwards.

The occurrence took place on Friday, the 1st September.

The Monday following, towards seven o'clock in the morning, an agent of the *service des mœurs* presented himself at the *Hôtel Duguesclin*, and proceeded to arrest another girl named Marie Dans. Seized with terror, the girl Dans opened her window on the second floor, and threw herself into the court-yard. She was taken up in a most deplorable condition.

At the end of the same week, Saturday the 9th September, a girl named R——, who was one of these subjected to the Acts, tried to commit suicide at the *Hôtel de police* of the *Rue Luizerne*. Not succeeding in strangling herself with her apron-string, she struck herself several times with a knife.

Happily the weapon which she had seized had a round blade, and the wounds inflicted were not deep. In this condition she was taken to the *Prison de Saint-Joseph*.

The treatment which girls undergo at the hands of the police, which incarcerates them and then enrolls them in the number of registered prostitutes, is then such that these poor creatures prefer death to the existence which the police prepares for them.

A rush of blood mounted to my brain. . . .

The formidable pitching of the boat, in the midst of the unchained violence of wind and sea, kept time with my indignation. This I turned over and over again in my mind, heightening it by monologues of a severe kind, which doubtless would sound very ridiculous if pronounced before an assembly at Paris!—indeed we have seen that!—and I repeated to myself:

“Some one ought now to make his voice heard! If no one does it so much the worse! At the risk of covering myself with ridicule, and heaping upon myself all the treacherous and deaf wrath of the police, so much the worse! I should have preferred waiting, so that my words might have had greater weight than they will have; but since no one else will speak, I will. It must not be that no more of the public attention is directed to atrocities of this kind than the disturbed interest attaching to a dog crushed by accident!”

I regretted that I was not in Paris to write the article, which I saw so well in my eye, at once. When I re-entered Brest, I sent a dispatch to the *Droits de l'homme* to recommend a vigorous commentary upon these facts. During the remainder of my voyage, at the capes of Brittany, the promontory of La Chèvre, the *Raz de Plagoff*, and before the *Mer Sauvage* of Belle-Isle, this anger followed me, and rose with the rise of each tempest.

At the end of October, the daily papers said that Mlle. Roussel, the great actress, had been arrested by an *agent des mœurs*, upon the boulevard at 8 o'clock in the evening. I believed it to be a favourable opportunity to put the question.

It was the 1st November. That day we had accompanied to the cemetery the funeral procession of Mlle. Delescluze, worthy sister of the Puritan whose martyrology of prison and galley was only ended by his heroic suicide upon the barricade of the *Château-d'Eau*. I brought back with me all the excited and fermenting ideas which are left in the mind by the calling forth of such memories. I wrote my article under this impression, with a dash of the pen, and with no endeavour to soften

the force of words. I did not find them strong enough to express my thoughts.

The article made some noise. On the 4th November came the discussion on the budget of the municipal police in the Municipal Council. Up to that time the dozen millions (of francs), which were appropriated to the police, had been voted in a lump, and without discussion. I asked that the part relating to the *service des mœurs* should be voted on separately. In spite of the efforts of M. Voisin, prefect of police, I got it sent back to committee. In the evening I received a summons to appear before M. Férey, *juge d'instruction*. It was for the purpose of intimidating me.

The Prefect of Police, with the perspicuity which distinguishes this sort of people, thought that he should make short work of a battle before the *Conseil municipal* by prosecuting me. He was strangely mistaken. Sigismond Lacroix laid down the question of law in a leading article. I showed the public of what the organization of official prostitution actually consisted. In answer, I received a summons to appear on the 7th December before the 11th Chamber of the tribunal of correctional police. I was accused, "1st, of having published, in ill-faith, news which was false and of a nature to disturb public peace; 2nd, of having committed the offence of abusing the depositaries or agents of public authority for acts relating to their duties, by qualifying, in the same article, by the name of *ignoble calling*, the office of the *agents de police des mœurs*, by declaring these agents the most abject of beings, and by adding that they are very good instruments for procuration; 3rd, of having committed the offence of defamation of the said agents, the depositaries of public authority, for acts relating to their duties, by imputing to them acts of a nature to reflect upon their honour and consideration, by alleging, notably, that in Paris they have all power over 30,000 women, without reckoning work-women and young girls, whom they can threaten, take away and imprison, without the fear of any responsibility; that men who want women, and do not want to inconvenience themselves, take these agents into their pay; that if persuasion is not enough they employ the threat—'Yield, or else Saint-Lazare;' that there is buying and selling between the women who keep tolerated houses and these agents; that when houses are deficient in *creatures likely to attract customers*, the police charges itself with the task of supplying them; that it provides for the public harems, and

guarantees to the consumer the good quality of the merchandise which it delivers to satisfy their appetites."

Such were the terms of the summons. At the sitting of the *Conseil municipal* of the 30th November, I demonstrated before the prefect of police and M. Lecour, who could find no answer, the truth of all these affirmations. M. Lecour could not deny them, since he himself had shown their truth in his book on Prostitution. M. Voisin entrenched himself behind the decree of Messidor, and that of April, 1872, which fix the position of the prefecture of police by declaring the *Conseil municipal* incompetent. This body, in spite of the opposition of MM. Beudant and Delpesch, both members of the Right, and of M. Levraud, an old Blanquist who had become a fanatical Gambettist by a logical instinct of seeking for authorities, and by inability to understand any other form of politics than that of obedience to one man, adopted on the 2nd December by a great majority, *par assis et levé* (equivalent to a show of hands), the following proposition brought forward by Dr. Thulié :

Considering that the Municipal Council cannot withdraw from the question of the *police des mœurs*, as one which is so important for the security of the population of Paris ;

Considering that it is its duty to have control over services which it pays for, and to study any improvements consistent with their organization ;

Considering that the actions of the *police des mœurs* are not authorized by any law, and that they conduce to the daily perpetration of offences contemplated and punished by the penal code ;

Considering that if to-day it is difficult to propose to the Municipal Council the suppression of credits set apart for the *police des mœurs*, it is, on the other hand, indispensable that reforms should be introduced into the said service ;

The Council resolves that :

A Commission of twelve members shall be named by the Council at its next sitting, to study the question of the *service des mœurs*, and to propose either its suppression, or such reform as is compatible with it.

Signed : Thulié, Delattre, Marsoulan, Bourneville, Jacques, Mathé, Lamouroux, Asseline, Deberle, Bonnet-Duverdier, De Heredia, Level, Lauth, Martin, Songeon, Engelhard.

The prefect of police defended himself foot by foot. He was unwilling that the Municipal Council should enter upon this question. On the 6th December, a decree of Marshal de MacMahon, countersigned by Macère, annulled it: "Seeing that such deliberation cannot escape official censure." It was taken up again without commentary, and on the 11th December a Commission of Inquiry was named, of which M. Hérissou was chosen president and myself secretary.

During this time, on the 7th December, M. Blin des

Cormiers, president of the 11th Chamber, upon the requisition of M. Simonet, *substitut*, avenged the prefect of police and the *agents des mœurs* for the tiresome proceedings in the Municipal Council. With the insolence so dear to certain magistrates, M. Blin des Cormiers would not suffer M. Grouslé, the disinterested and permanent lawyer to the *Droits de l'homme*, which gave him very much to do, to put the question of the legality of the *police des mœurs*, and would not allow me to say a word tending to prove the truth of my imputation. With racing speed he gave judgment, condemning me to imprisonment for six months, and a fine of 3,000 francs; and the publisher to imprisonment for three months, and a fine of 1,000 francs; altogether, with the decimes (costs), about 5,500 francs. In their implacable energy they had even condemned me for the offence of false news, *à propos* of the arrest of Mlle. Rousseil. Now, this news was not false; it was not I who had narrated it; I had done nothing but comment upon it! Before the Court presided over by M. Descoutures, assisted by M. Chevrier as *avocat général*, I had to do with courteous people. That is always something. For the rest, they refused in the same energetic way to allow any discussion as to the legal standing of the *agents des mœurs*. They were willing indeed to erase the crime of false news from my sentence, but they remitted neither one day of imprisonment, nor one franc of the fine. M. Voisin, for all that, was not completely satisfied. This councillor, at the *Cour de Cassation* (court of appeal), announced everywhere the fact that I should be deprived of my political rights. His purpose was to get me condemned in virtue of Articles 222 and following, of the *Code Pénal*. I could only be condemned in virtue of Articles 15 of the decree of February, 1852, and 16 and 17 of the law of 1819.

I ought to say that, some days afterwards, James Stuart came to my house one morning, bringing me, on the part of the Council of the British, Continental and General Federation, a cheque for 3,000 francs, the nominal amount of my fine.

I take advantage of this transition to present this important Association to my readers.

CHAPTER SECOND.

THE MOVEMENT IN ENGLAND AND OTHER FOREIGN COUNTRIES.

- I.—The English ladies' manifesto—1870—The Quakers—English Associations—The *Shield*, the *Medical Inquirer*—The League—French Protestants—James Stuart—James Stansfeld—Mme. Venturi—Mrs. Josephine Butler—Mme. de Morsier—M. Aimé Humbert—Specialization of associations.
- II.—Congress of Geneva—Its resolutions—Congress of Genoa—Resolutions—Prudence of the defenders of the system—The great problem of the nineteenth century: the power of the State, and the rights of the individual.

I.

ABOUT the 20th November, 1876, I received a letter from Mrs. Josephine Butler; on the 22nd November I answered it, giving certain information which was required. Shortly after I was promised that she would come to Paris in the month of January with the principal members of the League.

I have mentioned the surreptitious way in which the *Acts* were established in England. They were unknown to the public until 1869. At that date, two medical men of Nottingham, Dr. C. Bell Taylor and Mr. Worth, soon after seconded by Dr. Hooppell, and a Quaker, Mr. R. Charlton of Bristol, endeavoured to get up an agitation on the subject by addressing the Congress of Social Science at Bristol. The appeal fell to the ground.¹ They then addressed themselves to Mrs. Joseph Butler, who, herself ill and heart-broken by the accidental death of her daughter, was returning from Italy. Mrs. Butler had many years ago founded refuges in Liverpool for young girls who were forced by poverty into prostitution. She was seconded in this humane work by her husband, the Rev. George Butler, principal of the Liverpool college. Certainly I would not say that England has not its fair share of prejudices; but, as certainly, it frees itself from many a conventionality which we Frenchmen treat with servile respect. What would our

¹ This is a mistake. Dr. Bell Taylor succeeded in carrying a motion at the Social Science Congress—"Regretting the secret policy that had characterized this *infamous* measure in all its phases," and declaring that its extension would be the greatest curse that could befall the people of England. The National Association for repeal was formed the same evening, and this Association has been at work ever since.—*Translator*.

University say if some fine day the wife of a professor were to commence a work analogous to that of Mrs. Butler?

The cry for Repeal came from Mrs. Butler's drawing-room. A manifesto, signed by 250 English ladies, was published in the *Daily News* of the 1st January, 1870. The manifesto, written without any religious bias, was marked by extraordinary vigour. "We protest against the Acts . . . because these laws suppress for one sex the guarantees of security sanctioned by our institutions, and place the liberty and person of women in the arbitrary power of the police . . . ; because every law ought to define the offence which it prosecutes . . . ; because it is unjust that punishment should apply only to the sex which is the victim of vice"

Amongst the signatures to this manifesto are found the names of Miss Harriet Martineau, the clear minded spirit who has had so much influence upon intellectual progress in England; Mrs. Lucas, the sister of the great orator John Bright; Mrs. Jacob Bright, the wife of the member for Manchester, and sister-in-law of John Bright; Miss Florence Nightingale, whose name is bound up with the history of the Crimean war; Mrs. M'Laren; Mrs. John Thomasson, whose immense fortune is at the service of all social good works; Mme. Emilie Ashurt Venturi, of whom we shall again speak farther on; Mrs. Edward Backhouse, Mrs. Thomas Pease, and Mrs. Christina Alsop, the latter three belonging to the body known as Friends or Quakers.

A Frenchman, who always judges by appearances, smiles the first time he sees a Quaker still wearing the old-fashioned coat which the members of the *Tiers Etat* wore in the States General of 1789, and a great wide-brimmed hat; or a Quakeress, clad in sober-coloured garments and a bonnet-like hood concealing the face. A compatriot of mine laughing at our work thought it a humorous thing to answer all my arguments with: "Ah, yes, the Quakers!" And yet he was a thoughtful man.

It is well known that the rise of the Quakers was due to George Fox, a shoemaker, and the son of a weaver, who was born at Drayton in Lancashire, in the year 1624. He and his disciples reject all ceremonies invented by pride and love of display; they seek after the most complete simplicity, never bowing to anyone, but calling everybody Thee and Thou, and affirming their human solidarity by their self-assumed appellation of "friends."

Amongst those whom Fox drew about him were some enthusiasts, whose minds were out of order, and whose nerves were

ill-balanced ; hence their surname, Quakers. Near him, however, were some men of real worth, such as Robert Barclay and William Penn. Full of the militant spirit under a peaceable exterior, and endowed with unconquerable energy, they were persecuted, thrown into lunatic asylums, and cast into prison, because they disdainfully rejected baptism, and Holy Communion, termed the churches shops, despised the priests, and disturbed the army by preaching peace ; yet they triumphed over all these persecutions, and in the reign of William III. were so powerful as to obtain from Parliament leave to dispense with the Oath. Since that time they have been a strongly united body ; the majority of them by perseverance, and economy, and friendly assistance, have become possessed of considerable fortunes. The Brights are of Quaker origin. Every year at one of their meetings the Quakers consider, apart from any religious or national question, what social cause they should assist with their co-operation. The suppression of official prostitution is one in which they have participated from the very first.

And whilst we laugh at their superannuated costumes and their innocent mania for simplicity, I, for my part, feel deeply touched by these men and women who think that they are not alone upon the earth, and who for two centuries have taken part in every great work which has for its end the emancipation of mankind. It will not be the presence of a Quaker that will repel me from joining in any good work ; on the contrary, it will be an *à priori* guarantee that such work is both generous and humane.

More than thirty English associations are in favour of Repeal of the Acts : the Ladies' National Association, the Men's National Association, the Electoral League of the Northern Counties, the Electoral Union for the Midland Counties, the Association of the North-East, the Association of Districts subjected to the Acts, the National Association of Medical Men, the Wesleyan Methodist Society, the Workmen's National League, &c.

From the year 1870 the question has been before the electors. Sir Henry Storks, one of the authors of the Contagious Diseases Acts, was beaten at Colchester in spite of the intervention of the Ministry, and since then, committees of ladies, as well as committees of men, have taken action during election contests all over England. The *Shield*, a journal intended to bring all solitary effort into united action, was

started in the month of March ; the *Medical Inquirer*, under the editorship of Dr. B. Nevins, was devoted to studying the question from a medical point of view. Agitation spread to all parts of England. To this we shall recur.

But Englishmen understood that it was necessary not only to fight against official prostitution in England, but also in countries where it has been long instituted. Mrs. Butler said (25th June, 1874), "We know that these laws were borrowed from the legislations of Paris, Berlin, Brussels, and Italy. If we can succeed in these different countries in turning public opinion against such laws, we shall deprive the Acts of the authority which they derive from the example of the continent." It was resolved to found the British, Continental, and General Federation.

Mrs. Butler started on her European crusade in November, 1874. She remained five or six days in Paris. She saw Acolas, who was too deeply buried in his studies to take any active part in this movement ; but owing to his connection she found herself surrounded by a circle of ministers of religion, and Protestants, MM. de Coppet, Appia, Monod, and de Pressensé.

It is decidedly something to say that such men, bearing the character they do, have assured Mrs. Butler of their sympathy, and have declared that they would be constant to her cause. Only this adhesion was, so to speak, of a Platonic nature, and did not attempt any exterior action. It was the same with the Protestant committee formed on the 26th January, 1877, at the Wesleyan chapel. I quote these proceedings as the result of French Protestantism ; where is the Roman Catholic priest who would have concerned himself with this question ?

Mr. Stansfeld, the then President of the League, Mr. Butler, Mrs. Butler, Mr. James Stuart, and M. Aimé Humbert had been summoned to Paris by my campaign of the *Droits de l'homme*.

The first person whom I saw was Mr. James Stuart. He spoke French very badly at this time ; he has since become proficient. A Scotchman, possessing the tenacity of his race, he is Professor of Mechanics and Physics at the University of Cambridge, pays attention at this moment more particularly to electricity, in the intervals of his researches starts courses of lectures right and left, and for his leisure time uses his remaining energies in administering the affairs of the League, to which he is treasurer. This is not the only society to which he belongs.

Last year he was President of the 'Trades' Unions Congress. In his character of *savant*, he has never done with humorous anathemas against the police-surgeons, whom he calls "scientific rascals."

Mr. James Stansfeld has been member of Parliament for Halifax since 1859. He has always belonged to the Liberal party. In 1863, after a campaign in which he denounced the bad administration of the Admiralty, he became its First Lord. Bound with the warmest friendship to Mazzini, he used to receive letters from him; the government of Napoleon III. was troubled by this, and he sent in his resignation in order to avoid diplomatic complications. He became a member of the cabinet again in 1868, and has remained one of the chiefs of the Liberal party. Everybody pointed him out as one who ought to have become a member of the last Gladstone cabinet; but he preferred to devote himself to the work of repealing the Contagious Diseases Acts.

Madame Emilie Ashurt Venturi, Mr. Stansfeld's sister-in-law, daughter of Mr. Ashurt, who effected the postal reform in England, and sister of Mr. Ashurt, solicitor-general to the post-office, who was treasurer of the English subscriptions for sending out the Thousand to Garibaldi, has taken an active part in the history of the emancipation of Italy. An accomplished linguist, connected with all the eminent minds of England, an inquirer into every art and every science, eloquent, clever, intellectual, and as good as she is great, she seems to have been foreshadowed by Terence's line (*Homo sum*, &c.). She has, above all, developed to an extent which would much astonish the majority of my countrymen, a deep feeling of respect for the weak, the abandoned, and all such poor creatures as society tramples into the dust.

The Parisians who assisted at the reunions of the *Rue d'Arras* and the *Salle Levis* will remember Mrs. Butler. Elegant and beautiful, attaining the greatest effects of pathos by the simplest methods, by making facts speak in such a way that when they issue from her lips they raise emotion in those even who try to hold out against her influence; always in ill-health, and even then indefatigable; ready at any moment to traverse Europe from end to end; unceasingly hard at work; disheartened by neither weariness, difficulty, nor danger; going right into the tolerated houses to look for victims there shut up, welcoming them even to her own home; instituting houses of refuge, but above all seeking, in the name of the common

nature of the intelligent and instructed woman with the degraded and ignorant one, of the wife and mother with the unhappy creature who has become simply an instrument of pleasure, the abolition of official white slavery, she has a popular history of her own, which an English sailor naïvely related to herself one day in the port of Marseilles. In the Middle Ages, Mrs. Butler would have been a Saint Catherine of Sienna (whose life she has written); but in the nineteenth century she did not find a heavenly ideal sufficient, and brought to bear upon a work of humanity all her intellectual power, self-devotedness, and moral activity.

She brought herself when in France into relation with Madame de Morsier (niece of M. Ernest Naville, the Bossuet of Protestantism, the Genevan pope), a woman naturally eloquent like her compatriot Jean Jacques, always pre-occupied with the most difficult metaphysical problems, the perpetual search for the reason of things, the first and final causes, but yet a human being, sensitive to the sufferings of all, and holding in horror the oppression of the weak under pretence of public health, public hygiene, or reasons of state.

M. Aimé Humbert, formerly the secretary of the revolutionary committee of Neuchâtel when that town shook off the yoke of Prussia—a man who had been State Councillor at Neuchâtel, President of Council of Switzerland, plenipotentiary of Switzerland in Japan—a man at once energetic and prudent, and on account of his position and the services rendered to his country, surrounded by respect and consideration—was the general secretary to the League for the Continent. It is thus that at a given moment persons who start with such different political and philosophical points of view are found united around the same task and for a common goal.

This union upon a given point constitutes a great power. I am about to utter a truism; but the whole progress of humanity lies in discovering new truisms. We must associate for things that unite us, not for things that divide us. This truth, which seems indisputable, is generally disregarded in practice. When ten persons meet together, in place of occupying themselves with the work to be done, they consider the motives which may sunder them.

The system of specialization of associations is the application of the principle of division of labour to social reforms. It is the application to social science of the proverb so often disregarded: One thing at a time. We must observe a certain

order in our endeavours, and only embark in them successively, not simultaneously; so that when we are studying a special question, we must group around it all those who are deeply considering it, without making ourselves uneasy as to their opinions upon other questions. In an economic league, we do not ask for opinions about the *police des mœurs*; and in an association concerning the *police des mœurs*, the members are not asked their opinion as to taxation of capital and the suppression of tolls.

I may say here that all those who take an active part in the League, however opposed their opinions may be upon other subjects, talk to each other with the greatest freedom and most complete frankness about questions, however delicate, which have relation to their work; and I have never anywhere seen so perfect an agreement of ideas, and one from which has ensued such deep mutual sympathy.

II.

This sympathy has been strengthened at the congresses and conferences which have met since that time. I was unfortunately in prison during the Congress of Geneva (17th-22nd September, 1877). Every civilized nation was represented there by eminent men or women. The general committee published in the first place a complete study of the condition of prostitution in different countries;¹ then the results of the labours of the Congress were brought together in two large volumes. There were indeed some uncertainties and hesitations in the first reunion of so many representatives of different nationalities. Some of them had only looked on this movement as a religious work; but MM. Stansfeld and Humbert, Madame Venturi, and Mrs. Butler maintained its character as a social question. This Congress passed the following resolutions:

RESOLUTIONS PASSED AT THE CONGRESS OF GENEVA.

(17th-22nd September, 1877.)

The Section of Hygiene affirms:

I. That self-government in sexual relations is one of the indispensable bases of the health of individuals and of peoples.

¹ *Matériaux recueillis, &c., pour les travaux des sections.* One vol. in 8vo.

II. That prostitution is a fundamental violation of the laws of health.

III. That considering that the rôle of public hygiene ought not to be limited to the surveillance and prophylaxis of the diseases which may affect populations, we declare that its real function is to develop all the conditions favourable to health, which has its highest expression in public morality.

IV. That this Section has shown the complete failure of all systems of *police des mœurs*, which are intended to regulate prostitution.

It rejects them, amongst others, on the following grounds :—That compulsory surgical inspection of women is revolting to human nature ; that in addition to this it can only reach a certain number of prostitutes ; that this inspection cannot be relied on to discover the most serious constitutional form of venereal diseases and stay its progress, and that in consequence it bestows a false security as to the health of women who have been inspected.

V. That this Section urgently desires the removal of all the obstacles which at the present day prevent {venereal diseases being as thoroughly treated as any other in hospitals which are under the control of town councils or other public bodies, as well as in those kept up by particular endowments.

VI. That this Section expresses the wish also that the ordinary police should see that decency is respected in the streets and public places, and that it should repress all public scandals, whether caused by men or by women.

The Section of Morals affirms :

I. That the practice of impurity is as reprehensible for men as for women.

II. That the Regulations tend to destroy the idea of the oneness of the moral law for both sexes, and to lower the tone of public opinion upon this point.

III. That all systems or organization of prostitution incite to debauchery, increase the number of illegitimate births, develop clandestine prostitution, and lower the level of public and private morality.

IV. That compulsory inspection of women, the basis of all regulations, is an outrage to woman, so much the more odious as it tends to consummate the fall of the unhappy beings obliged to submit to it, and even to destroy amongst the most degraded what modesty they have remaining.

V. That official registration is an attack upon liberty, and upon the common law.

VI. That by the Regulations the State, forgetting that it owes equal protection to both sexes, in reality corrupts them, and degrades the woman.

VII. That the State, whose mission is to protect minors, and to help them in their struggle after what is right, on the contrary corrupts them, and incites them to debauchery, by rendering it easy to them in consequence of its regulations.

VIII. That by authorizing places for debauchery, and by making such disorder merely the exercise of a regular profession, the State sanctions the immoral idea that debauchery is a necessity for men.

IX. That an appeal shall be addressed to the conscience of all authors, editors, librarians, and colporteurs of the two continents, to engage them in no way to favour the sale or diffusion of corrupting literature, licentious works, and obscene engravings.

The Section of Social Economics made the following answers to the questions set down in its programme :

I. Are the interests, rights, and social independence of the female sex

sufficiently respected and guarded by the laws, opinion, customs, and manners of our time?

Answer : No.

II. Is the continuous exercise of a handicraft trade for women consistent with their position and duties in the family and by the domestic hearth?

Answer : That depends on the trade and the individual position of each woman.

III. Are the earnings of a woman working at a handicraft sufficient to satisfy her legitimate requirements?

Answer (a minority dissenting) : No.

IV. (1st.) What are the principal causes of the earnings of women following an industrial calling being insufficient?

Answer (a minority dissenting) : The inequality that laws, customs, ignorance, and regulation of prostitution, introduce between men and women.

(2nd.) Would it be possible to remedy this inequality?

Answer : Yes, by equal laws, by amelioration of customs, by abolition of regulated prostitution, and by general and technical instruction.

V. What are, or will be, the consequences to the social and moral lot of women of their employment in large industries (manufactories, workshops, &c.)?

Answer : These consequences will vary according to circumstances. The Section considers that, as a matter of principle, no industrial employment which may preserve a woman from poverty and prostitution ought to be closed to her.

VI. Is governmental or legal intervention desirable for women who are employed in great industries (as to length of time, rate of wages, &c.)?

Answer (with two dissentients) : No.

VII. What advantage can women reap from the principle of co-operation to better their lot in a social point of view?

Answer : The same as men.

VIII. How must we devise and organize instruction and education, in order to assist the moral, social, and economic elevation of women?

Answer : By closing no branch of instruction and education to women, and by ensuring the same consideration from the State and from society for both sexes.

The Section of Benevolence (*Bienfaisance*) affirms :

I. That the system of the regulation of vice is incompatible with any effort at rescue,

II. That it is proved that regulation of prostitution is a great hindrance to the success of attempts to bring succour, because registration and surgical inspection are opposed to all feelings of feminine modesty, which are never absolutely extinct in any woman, and because they render more difficult the reformation which we can and ought to hope for for every woman, however lost she may be.

III. That it is desirable that homes should be established where the system should be as little as possible penitentiary, because sympathy and Christian love are the only effectual means to rescue young girls.

IV. That it is desirable that a system of international communication

should be established to put a stop to white slavery, and to watch over the welfare of women who seek employment in other countries.

The Section of Law (*Legislation*) affirms :

I. That the State possesses no right to regulate prostitution, for it never ought to make any compact with evil, nor to sacrifice constitutional safeguards to questionable interests.

II. Every system of official regulation of prostitution infers the arbitrary power of the police and the violation of judicial safeguards assured to every individual, and even to the greatest criminals, against arbitrary arrest and detention.

Compulsory sanitary inspection of women is equally contrary to common rights.

As this violation of right is to the prejudice of the woman only, a monstrous inequality occurs between her and the man ; the woman is lowered to the rank of a simple medium, and is no longer treated as a person. She is outside the law.

Moreover, by regulation of vice, the State directly violates its own penal law, since this forbids incitement to debauchery, and the State makes itself at the least an accomplice in this incitement, in so much as it is practised by the establishments and the women that it authorizes.

The State thus disregards its duty as the guardian of minors.

III. That the end is not gained ; for regulation produces and develops prostitution instead of diminishing it.

The increasing development of clandestine prostitution in towns where this vice is under regulations is sufficient to show that the regulations are more and more evaded. The development of venereal diseases and the number of offences against morals in these same towns again prove that regulations do not attain the end for which they were proposed.

IV. It results from all this that the State must give up the idea of following up its hygienic purpose, and so much the more as here the question is not of an exterior danger to public health in general, such as is an epidemic, but of a danger which is knowingly and voluntarily undergone.

The State then ought to abandon administrative and arbitrary procedure, and to take up again its judicial function and the common right. It ought to confine itself to judicially expressing all that appears to it contrary to public order and to its own guardianship of minors.

V. The State ought to continue to punish those who incite minors of either sex to debauchery, and especially to punish procuration.

It ought to punish kidnapping of minors done with a view to debauchery.

It ought to interdict all collective organization of prostitution, that is to say, to punish the offence of keeping an immoral house open to the public, and letting apartments for such uses. We may allege here the analogy of gambling houses, which are interdicted by almost all penal legislations.

We preserve unchanged the penal provisions concerning outrages to public morals, and in especial *public* provocation to debauchery, offences against morals directed to individuals, the inveigling of minors, and illegal sequestrations.

VI. That as to the causes of prostitution from a judicial point of view, the State should punish the seduction of a minor when it has been brought about by false promises.

We might also examine the question whether the State ought not to re-establish the search for paternity, so as to equalize the relative positions of man and woman.

These resolutions were confirmed anew by the conferences of Liège (September, 1879), and of London (June, 1881). Such are the general principles of the Abolitionist League. A little dissent as to certain details, in which governmental and religious intervention appear, does not weaken its unity.

These principles were developed by Mrs. Butler and M. Humbert at the meeting of January, 1877, in the *Salle* of the *Rue d'Arras*, and at that of 10th April, 1880, *Salle Levis*.

In 1880, the Congress of Geneva showed all the headway which the cause had made. The inquiry had been continued and extended in every country. Brought together under the inspiration of Joseph Nathan (who died, alas! some months afterwards), and of Madame Sarinah, Nathan, who has also recently died, it obeyed the Mazzinian inspiration which is still so powerful in Italy.

Madame Sarinah Nathan brought back again to the mind the ancient Roman matron in the heroic acceptance of the word. Wearing her sixty years with proud simplicity, surrounded by her sons, carrying on the task which she had ceaselessly pursued in conjunction with Mazzini, and concerned in every political and social work, with her memory full of the great dramas of the Italian revolutions in which she had played so active a part, I saw her appear before the people of Genoa, on the occasion of the inauguration of the monument to Quadrio, as an incarnation of her liberated country and of the hoped-for Republic.

The Congress was presided over by Aurelio Saffi, one of the triumvirs of the Roman Republic—a Puritan, with a gentle and pleasing exterior, and a scholar and writer of the first order. It adopted the following resolutions :—

FIRST RESOLUTION.

(Hygiene.)

The special meeting of the Congress of Genoa, summoned to consider the question of Hygiene,

Having shown that sanitary regulation of prostitution, and the medical inspection of women which is inseparable from it, are not efficacious in protecting public health from venereal affections, or in limiting the spread of these diseases,

Declares that it is convinced on the point, so far as this question is concerned, and desires the abolition of all those government measures relating

to prostitution, the result of which is at the same time but failure of effect, and violation of common right in the person of woman.

SECOND RESOLUTION.

(Jurisdiction.)

The Second Congress of the British, Continental and General Federation for the abolition of prostitution specially looked upon as a legal or tolerated institution,

Assembled in regular session at Genoa from the 27th September to the 4th October, 1880 ;

In view of the wishes expressed by the different nations represented in it ;
And considering :

That liberty is not compatible with laws which make exceptions ;

That no one should take to himself the power of either putting himself or others outside the law ;

That at the present time the weakest, that is to say the woman, is put outside the law ;

Declares itself resolved to further by means of propagandism and large reforms, the abolition of the laws and regulations which, whilst sanctioning prostitution, make a public institution of it.

For this purpose the Federation adopts the following resolutions as rules of action :

1st. Matters relating to prostitution ought to be managed by the common law of each country ;

2nd. Legal guarantee for personal liberty ought to be the same for both sexes ;

3rd. The law ought not to provide for or tolerate any registration, official inscription of prostitutes, or any recognition of prostitution as being the calling of a certain social class ;

4th. The law ought not to sanction or tolerate any violation of the rights which every woman has over her own person ;

5th. The law ought only to allow of detention upon a judicial sentence pronounced after public inquiry into acts constituting an offence which is positive and provided for by law, and after the accused has been allowed sufficient opportunity for self-defence ;

6th. Every police agent in the exercise of his executive functions ought to wear his uniform ;

7th. Every officer of the law ought to be entirely responsible for his acts before the ordinary tribunals of his district.

In addition to this, the Congress protests against all kinds of laws and all manner of regulations or prescriptions specially applied to prostitution, declaring them equally to be condemned whether they emanate from the State or from a local authority.

THIRD RESOLUTION.

(Against White Slavery.)

The second Congress of the British, Continental, and General Federation, Having obtained proof of the existence of a wide-spread and permanent traffic for the purpose of revictualling (*ravitaillement*) legal prostitution in Belgium and elsewhere ; and

Convinced by facts which have come to its knowledge that the *police des mœurs*, in certain cases, has a great share in the traffic,

Approves all that has been done to the present time by the administration of the Federation in labouring for the suppression of the international treaty in question, and invites the Executive Committee to follow up its efforts to this end with energy.

These resolutions, the result of much thought, and which clearly disclose the essential points of the labours of the Congress of Geneva, were proclaimed from the balcony of the theatre, Carlo Felice, by *député* Bovio, before the workmen's associations of Genoa, preceded by music and banners, and amidst enthusiastic acclamations.

I shall be told that the Italians have such facile enthusiasm that they would have applauded contrary conclusions just as much. I shall answer, in my turn: "Try it then! Why do you partizans of the *police des mœurs* show so much reserve? Why have you only dared to defend yourselves to yourselves, and behind closed doors? Why have you not, since this question has been agitated, dared to publish a single earnest work, signed by a disinterested person, in order to support your views?"

This Congress is remarkable in its character. It propounds, in formal manner, and with regard to a most delicate matter, the problem, the solution of which is the great task of the end of the nineteenth century, What is the relative situation of the individual and the State? What are the rights of the individual? Has the State the right, and mission, of imposing upon individuals a religion, a standard of morals, and a hygiene? Where does the domain of law begin and end?

Now we have a very striking fact: the Congress of Genoa was organized in Italy by the Mazzinian party.

Now Mazzini believed that the State had a mission to educate and civilize. How is it that his disciples come to protest against all State interference with prostitution, and decide upon common rights?

On the other hand, look at the Protestants, subjects of a monarchy—English, Germans, Danes, and Hollanders—who are in agreement on this point: The State has no mission to make society moral, and to protect the health of individuals, by making regulations for prostitution.

Prostitution is not a crime. If acts relative to prostitution are crimes, they are then punishable by common law, and common law ought to be applied to men as much as to women.

Well then, if French, English, Italians, Swiss, Danes, Swedes, Hollanders, Belgians, and Germans, men and women,

can come to an unanimous conclusion on this point, it is because, more or less consciously, all have come to recognize the fact that at the base of society, as an essential molecule of the mass which we call humanity, there is a reality—the individual. This *individual* is not an abstraction; not a word more or less vague, like the State, Society, and Public Health, but a concrete and tangible being, a creature with a heart; who has rights because he has wants; who suffers, enjoys, loves, hates, laughs, cries, and in short—lives!

Before this *individual*—this being who is you, I, all of us—what becomes of the State? The State always ends by incorporation into one man: an emperor, like Napoleon III.; or a minister, like Rouher, de Fourtou, de Broglie, or Gambetta; even “a drunkard,” as an English lady said to me when speaking of a certain English minister.

All the efforts of humanity, all its struggles, the revolutions in England, like the revolutions in France, have had as their object the opposing the pretended rights of this entity termed the State by the Rights of Man! But, so far, in virtue of the spirit of privilege which still rules our customs, the rights of woman have practically been scarcely comprized in the rights of man. This is not surprising. Woman has been, and is still, so often disregarded! At present the task of all statesmen, publicists, and legists is to limit with exactness the functions of the State, and to make clearly evident the Rights of Humanity, women and men included.

CHAPTER THIRD.

RESULTS OF THE CAMPAIGN.

- I.—My prison—*La Lanterne*—*L'ex-agent des mœurs*—*Le médecin*—*Le Vieux petit employé*—M. Lecour's avowals—Police methods—My report to the *Conseil Municipal*—Lanessan's amendment—MM. Andrieux and Camescasse—Policy of protest—The *Association Française*—Mlle. Maria Deraismes—M. A. Desmoulins—Mrs. Chapman—Plebiscitary foundation—Increased progress—Italy—Sweden—Denmark—Holland—The *Pasteur* Pierson—Germany—Mme. Guillaume Schack—Belgium—Switzerland.
- II.—England—Bills for repeal—Inquiry—Avowals—Conversions—Petitions—Election movement—The inquiry—Mr. James Stansfeld and Lord Derwent—Twenty thousand pounds sterling—The conference in London—Who are you?—Thomas Diafoirus, Joseph Prudhomme, and Ratapoil.

I.

I HAD been six months in prison. France was at the same time in a condition of political reaction. My condemnation contributed to the suppression of the *Droits de l'homme*, which was born during a state of siege, in most difficult environments, and riddled with fines. I took upon myself to settle these, and this when, as during this period of the 16th May, I was between four walls, and deprived of all means of action. Happily, amidst these difficulties, I had two friends who did not abandon me, and I found men who had confidence in my honour. I make a point of giving these explanations, in the first place in order to thank those who stretched out their hand to me at this time, and then to make this contribution to the history of social evolution in the nineteenth century. Such contests are not entered into without effort and personal sacrifice. To begin them there must be imprudent persons to throw themselves therein, like the old corsairs of my country used to launch their little schooners to board high-decked vessels.

I ask pardon of these latter for having compared them to police institutions.

During all this period of the year 1877, one question quashed all others, because all depended on it—the well-being of the Republic. Then came the Exposition, during which I occupied myself specially with the organization of Voltaire's centenary. I had a serious attack of pneumonia, and was agitated by vexations of all kinds; but these two years were not lost for me—I collected my materials.

During the forced leisure of my stay at Cauterets, I reflected upon the manner in which I should renew the campaign. I examined the journals in which I could make it. I only saw one which seemed to me sufficiently bold and independent to continue it to the end, and this was the *Lanterne*. I was not acquainted with M. Eugene Mayer. After half an hour's interview we were in agreement, and the bridle on my neck was slackened. Then I published the *Révélations d'un ex-agent des mœurs*, the *Lettres d'un médecin*, and the *Lettres du vieux petit employé* (October, 1878—January, 1879). M. Lecour gave himself the trouble to rake up accusations against these articles in a big volume entitled the *Campagne contre la préfecture de police, envisagée surtout au point de vue des mœurs* (Campaign against the prefecture of police, looked at especially from the standpoint of morals). His amiability has ceased. I quote :

“The prefecture of police officially announced a sufficiently large policy of retreat. . . . It was hoped that we should perhaps for this have seen the *Lanterne*, whose triumph in all points was so implicitly proclaimed, lay down its arms. . . . We must see that in this assault manifestly directed against the institution of police as a whole, the overthrow of the *service des mœurs*—an overthrow accomplished without discussion or resistance—could only be an incident and a stepping stone.”¹

And further on, speaking of the dismemberment of the prefecture of police, M. Lecour adds : “The evil is done, and it is irreparable.”²

I shall not recall the dismissal of M. Lecour, the fall of the chief officials of the prefecture of police, carrying down M. Gigot, and finally M. de Marcère, Minister of the Interior. Men are small affairs. They were and are of little importance to me. It is only the institution that I aim at.

I was not a representative at the *Conseil municipal* in the elections of 1878. At the end of 1879, the seat of the quartier

¹ Page 231.

² Page 449.

of the *Prefecture de police* was vacant. The electors naturally thought of me ; and in spite of all the efforts of the prefecture of police, which brought back from Algiers an old press informer, who had been scorched by me in the course of my campaign—notwithstanding the efforts of the political police, the employment of provocations, and the distribution of police journals—I was elected for this quartier, a quartier of very moderate views. Intrusted with the duty of drawing up a report upon the *services de sûreté* for 1881, I introduced into it the principles adopted by the Congress of Genoa.

After a short discussion, the *Conseil municipal* adopted the following proposition of M. de Lanessan by 33 votes to 12 (28th December, 1880):

The Council,

Considering that the actual institution of the *police des mœurs* is opposed (*attentatoire*) to individual liberty, without producing the results which it ought to give from the standpoint of the diminution of syphilitic diseases and of the surveillance of crimes committed against the common law and public order, and offences against morals,

Resolves that—

1st. The municipal administration be invited to bring forward, as speedily as possible, a scheme for the organization of gratuitous medical assistance and medicines for those suffering from syphilitic diseases.

2nd. Endeavour shall be made to establish a system which substitutes the guardians of order (*gardiens de la paix*) for the actual agents of the *police des mœurs* in matters concerning the police of public order and women who follow prostitution as a calling.

3rd. Crimes and infractions of the common law committed against public order, and offences against morals, shall no longer be proceeded against under arbitrary powers, but shall come under the regular course of justice.

4th. The consequence of this re-organization must be the suppression of the special brigade of the *police des mœurs* from the 1st January, 1882.

This amendment was adopted on the 28th December, 1880.

It is needless to add that M. Andrieux took not the least notice of this vote, neither did his successor, M. Camescasse. In December, 1881, when again nominated to report upon the *services de sûreté*, I addressed an interrogatory to him. We have seen his answers. He denied to the *Conseil municipal* any right of meddling with the organization of his official work, and required the vote for the whole. I replied by proposing to refuse a part of the budget devoted to the purposes of the prefecture of police. The proposition was of too radical a nature to be adopted ; nevertheless it obtained 17 votes against 46 ; and the prefect of police only got the vote by making undertakings of all kinds. We shall see whether they will be held to when the question of the budget of 1883 comes up. M.

Andrieux was able to fight the *Conseil municipal*, yet he fell in the Eyben affair. The minister, Jules Ferry, had, in endeavouring to save him, given up one of the projects for centralizing authority, that, namely, for suppressing all relations between the prefect of police and the *Conseil municipal*. It is said that the minister, De Freycinet, will be bold enough to bring it forward again. We shall see.

At this moment the question has become somewhat less lively. The *police des mœurs* takes no action save with a certain prudence which makes gross scandals rarer and rarer. Now in France our politics are above all made up of divers acts, and of protestation. We do not know how to follow up a question slowly, firmly, and obstinately. Some event is necessary to shake us up and awaken us out of our torpor; more than that, we require to face a somewhat striking individuality in our fights. M. Camescasse is insufficient.

We have not as yet the method and practice of association. Nevertheless, in November, 1878, Mr. and Mrs. Chapman, M. and Mme. de Morsier, Mlle. Maria Deraismes, whose great literary and oratorical talents are known to all the world, M. Desmoulin (now a *conseiller municipal*), one who seeks, with the gentle and patient tenacity of a man accustomed to clash with established prejudices, the ultimate triumph of humanitarian efforts; and a few other friends, founded an *Association Française pour l'abolition de la prostitution officielle*.¹ (French Association for the abolition of official prostitution.)

It elected as President Mrs. Chapman, the wife of Dr. Chapman, a disciple of Bentham, and editor of the *Westminster Review*, who had come to Paris on Claude Bernard's invitation, some of whose great physiological discoveries he applies to the practice of medicine. Mrs. Chapman is accustomed to handle all philosophical and scientific questions with that positive and intrepid spirit which is usual to the English in attacking a problem. Yet, in spite of her energy, and in spite of Mme. de Morsier's activity, the association has not grown. The majority of Frenchwomen do not yet understand that the question may concern them; as to Frenchmen, many of them have no well-formed opinion as yet upon the subject, and they say to themselves, "Whilst other people are busying themselves about this matter, it is not worth our while to trouble ourselves with it."

¹ Headquarters, Mrs. Chapman, 212 Rue de Rivoli.

Ah ! spite of all our efforts and experiences, we have still remaining the old plébiscitarian foundation.

To believe that old formulas will remain immovably fixed, and that humanity will sanction the permanence of evil with the resignation formerly accorded to all intellectual, moral, and material tyrannies, would be to deny the power of printing, the press, cheap postal arrangements, steam, and electricity. Only short-sighted men will imagine that social progress will not quicken under the impulsion given to it by all the new material resources at man's disposal. Every victory gained over the forces of nature gives him fresh power, a more definite feeling of his personality, a more conscious desire for liberty and for the means of securing it.

So that I believe that I shall be happier than Wilberforce, who only saw the triumph of his labours in the year of his death. Events move more quickly now. John Brown was hung in 1859 : five years had not elapsed before the negroes of the United States were freed.

If I put the cause which I uphold under the protection of these liberators of men, it is because it is only a continuation of their work ; and a glance at the situation in different countries is sufficient to show us the certainty of its approaching triumph.

In Italy, M. Ernest Nathan, with the co-operation of MM. Brusco Onnis, Bovio, the *député* of Naples, Dr. Bertani, Aurelio Saffi, and Mlle. Mozzoni, the famous authoress of *La Donna*, urges the movement onwards. 1,600 workmen's associations have given in their adhesion to it.

In Sweden, at Stockholm, there is an association at the head of which is the Pastor Testuz, who is an active worker, and even has a journal. In Denmark, Dr. Giersing and Baroness Stamps are at the head of a similar league. In Holland, the Pastor Pierson, director of the Heldring asylums, who, under a certain formality, conceals a good deal of subtlety, is not afraid to say openly before an auditory of 5,000 people in Utrecht cathedral, "I know of the grand-daughter of a pastor who is a prostitute. My own might be the same !" The chief commissary of police at the Hague, M. Van Schermbeck, is an active member of the Federation and assisted at the conference in London.

In Germany, Mme. Guillaume Schack, a little timid woman, has aroused her country ; she tells the story of her struggles, efforts, mortifications and successes, with a naïve simplicity which at Genoa and London caused emotion in every breast.

Her relations with the prefect of police in Berlin are epic. He had been represented to her as a benevolent man and full of good intentions. In her innocence she believed this. She goes to see him, and finds a very polite, very affable, man. She thinks, "He is indeed such a man as has been described to me. He is an ally!" He joins her in deploring the régime of the *police des mœurs*, and Mme. Guillaume goes away enchanted. But she returns; she wishes for precise information; the prefect of police shuts himself up hermetically. She has agitated to such purpose that the police is roused, and on the 23rd of last March (1882) interrupted a conference of Mme. Guillaume Schack at Darmstadt, and prosecuted her for an outrage on public morals!—a topper! It is true that she was acquitted on the 27th April.

In Belgium, we have recounted the facts known under the name of White Slavery, and have shown their results. The last report of M. Buls, burgomaster of Brussels, proves the perplexities of the administration. M. Emile de Laveleye, the celebrated Liègeois professor, is president of the Association.

In Switzerland the movement goes on, under the direction of M. Humbert. At Zurich it was wished to establish a *police des mœurs*. There was even a vote on the subject. Commandant Kaiser wrote a series of "Letters to the Athenians from the banks of the Limmat," which made the Council revoke its decision.

II.

Lastly, in England the movement goes on continually with the method, power, and calm energy which are characteristic of the doings of this great nation.

Since 1869, there has been no attempt to extend the Acts to fresh stations. Since 1870, year by year MM. W. Fowler, Jacob Bright, and Harcourt Johnstone, have in turns brought in a bill for Repeal. On the 17th March, 1879, Mr. Hopwood proposed to abolish the supplies for the Contagious Diseases Acts.

Colonel Stanley, speaking in the name of the Government, demanded the vote of credit, because the payments were for proceedings under an Act of Parliament, but in common with the Chancellor of the Exchequer accepted the nomination of a Commission of Inquiry. On that day, Sir Henry Holland, ormerly a partizan of the Acts, went to Sir Harcourt Johnstone

to tell him, "These Acts make me very unhappy. I am convinced that their moral results are bad, and that they do not protect public health. I support the inquiry."

Mr. Woolcombe, of Devonport, surnamed the Father of the Acts, said before a committee of the House of Lords: "It is the sort of thing which we must not speak about." It seems that he is not proud of his children.

The inquiry began, but was interrupted by the dissolution of the House of Commons. From 1870 to 1879, 9,667 petitions, containing 2,150,941 signatures, demanded the Repeal of the Acts. The 30 associations formed to obtain this took vigorous action in the general election of 1881. The National Association had 4,000 persons actively engaged in the struggle; and 22,000 correspondents, who by their writings, speeches, and newspaper influence, asked the candidates of all parties to apply themselves to this question.

As soon as Parliament reassembled, the Commission of Inquiry was reconstituted, and continues its work under the direction of Mr. Stansfeld. There is no more interesting reading than that of these three enormous volumes. One must see the embarrassment, the self-contradictions, and the equivocal utterances of the partizans of the Acts. Certain doctors have been obliged to deny the conclusions of the science of the day, and to maintain the oneness of the soft and of the infecting chancre, in order to justify their theories. Sir W. Muir pretended that there was no distinction between simple and infecting chancres, and that cauterization was sufficient to prevent secondary symptoms.¹ Mr. Lawson and he could not agree; and Mr. Lawson, inspector-general of military hospitals, was obliged to make avowals of the most painful kind for the theory which he upheld. Mr. Myers and Mr. Robinson were reduced to making Acts of Faith for the Acts. *Credo quia absurdum*. Mr. Stansfeld was pitiless. With severity, not unmixed with humour, he obliged people to say the contrary of what they wished to say. It was at this point that Sir W. Muir sent in, after his deposition, a note trying to explain that he had said what he did not wish to say!

The inquiry was so conclusive, that on 13th February, 1882, without waiting for the finish, Mr. Stansfeld brought in a bill for repeal. The second reading and debate thereon are fixed for the 5th July [*written May, 1882*]. It will be supported

¹ Inquiry of 1879, p. 8.

in the House of Lords by Sir Harcourt Johnstone, now Lord Derwent.

The National Association is convinced that victory is at hand. It gives the Acts a maximum duration of five years; and in order to continue the contest during this space of time, it has just subscribed a sum of £20,000.

In France we can find this sum for any folly; but we never find it for any social cause. We can estimate the development of the political morals of a country by the pecuniary sacrifices which individuals are capable of making for the triumph of their doctrines.

The conference which took place in London in May, 1881, proved how deep and passionate was the movement in England.

Amongst those who took part in it, we will mention the following names of members of Parliament:

George Anderson, Esq., M.P. for Glasgow.
 Arthur Arnold, Esq., M.P. for Salford.
 John Barran, Esq., M.P. for Leeds.
 Jacob Bright, Esq., M.P. for Birmingham.
 Henry Broadhurst, Esq., M.P. for Stoke-on-Trent.
 Alex. Brown, Esq., M.P. for Much Wenlock.
 W. S. Caine, Esq., M.P. for Scarborough.
 John C. Clarke, Esq., M.P. for Abingdon.
 John Corbett, Esq., M.P., for Droitwich.
 Joseph Cowen, Esq., M.P. for Newcastle-on-Tyne.
 W. Ewart, Esq., M.P. for Belfast.
 Baron de Ferrières, M.P. for Cheltenham.
 W. Fowler, Esq., M.P. for Cambridge.
 Theodore Fry, Esq., M.P. for Darlington.
 Edward Gourlay, Esq., M.P. for Sunderland.
 Albert Grey, Esq., M.P., for S. Northumberland.
 C. H. Hopwood, Esq., Q.C., M.P. for Stockport.
 Alfred Illingworth, Esq., M.P. for Bradford.
 Alex. M'Arthur, Esq., M.P. for Leicester.
 Charles B. Bright M'Laren, Esq., M.P. for Stafford.
 Arthur Peace, Esq., M.P. for Whitby.
 Fred. Pennington, Esq., M.P. for Stockport.
 John Dick Peddie, Esq., M.P. for Kilmarnock.
 T. B. Potter, Esq., M.P., for Rochdale.
 Henry Richard, Esq., M.P. for Merthyr Tydvil.
 Patrick J. Smyth, Esq., M.P. for Tipperary.
 Samuel Story, Esq., M.P. for Sunderland.

Peter A. Taylor, Esq., M.P. for Leicester.
 John A. Thomasson, Esq., M.P. for Bolton.

In one of his speeches, Sir Harcourt Johnstone mentioned also, as having taken part in the action against the Acts, MM. Fawcett, Mundella, Childers, and John Bright, members of the present Cabinet [*written May, 1882*], Burt, Lord Frederick Cavendish, Sir Wilfrid Lawson, and Shaw Lefevre. Lastly, the great philosopher, Herbert Spencer, is Vice-President of the National Association. "If these gentlemen are fools and fanatics, they live in good company," was Sir Harcourt Johnstone's conclusion.¹

In face of these men, what have we?

A few policemen, whose honourable reputation is more than suspected ;

Police-surgeons who wish to retain their posts ;

People who, hereditarily infected with administrative disease, believe that a man and woman can enter into no relations with each other without the sanction of authority ;

Panurge's sheep who, seeing a gap in the hedge, all rush through it and bleat the formulas given them by the police with touching harmony: those who form the *plebiscitaires* majorities, and who are the natural prey of Robert Macaire (the highwayman): everlasting "*gogos*" (ready dupes), whose only confidence is in the man with a cudgel who makes them afraid, and in the charlatan who tells them lies.

Thomas Diafoirus, Joseph Prudhomme, and Ratapoil.

Such are the defenders of the *police des mœurs*.

Let us look at their arguments.

¹ 28th Jan., 1881. *Shield*, 8th February.

CHAPTER FOURTH.

THE ARGUMENTS OF THOMAS DIAFOIRUS.

Competency—Twenty years with the speculum—Argument of Brid'oison—Medical sincerity—Legal medicine—"Science says so"—Errors—Venereal diseases—Negations and affirmations—Contagion from suckling—Unjust reproaches—Honour of the body medical—Singular manner of understanding honour—Experiments *in animâ vili*—Ricord's protest—Cost of a syphilis—Human vivisection—Apathy—Giving-up—Trial with closed doors—New customs—duties—Scientific abortions—Law of the speculum—Registered houses—Man's needs—Logic of "science"—Simple and radical method—M. Bouchardat's logic—Destruction of humanity—Encroachments of public hygiene—Things, not persons—The paternal syringe.

Thomas Diafoirus: All the same I am not convinced. I am in practice, and I speak to you by the voice of my experience.

The Abolitionist: But you yourself have given me the figures which condemn you.

Thomas Diafoirus: That is no matter. You are not competent to judge. I have examined women with the speculum for the past twenty years.

The Abolitionist: Thousands and thousands of grocers had weighed, bought, and sold, ruined themselves or enriched themselves, without knowing what they were doing; and it was such men as Quesnay, a veterinary, Adam Smith, a professor, Jean-Baptiste Say, a journalist, and Bastiat, a judge, that began to trace out the lines of economic science, and yet they had never sold a pound of candles in their lives. I claim, on the contrary, that you are not competent to this question.

Thomas Diafoirus: Why?

The Abolitionist: Because you are an interested party.

Thomas Diafoirus: Oh! . . .

The Abolitionist: Pray, be calm. I do not reproach you with your slender salary, for if your services were really useful you ought not to be content with it. It bears no relation to the usual remuneration which a doctor, having any sort of practice, receives for his time.

Thomas Diafoirus : That shows my disinterestedness.

The Abolitionist : No, that shows your desire to such a title. I will not say why, or you would think I was offensive.

Thomas Diafoirus : Oh !

The Abolitionist : But for the moment I am looking from this particular standpoint, and I declare you incompetent because you cannot allow that you have been in this business for ten years, and that it is a useless and even a hurtful one. These sort of things may be said to oneself, but. . . you are too nearly related to Brid'oison not to think with him that one does not like to hear oneself say them.

Thomas Diafoirus : Dam !

The Abolitionist : And then you want to justify your office by facts. Dr. Mauriac has stated that soft chancres had not ceased to decrease in Paris during fifteen years, with the exception of a recrudescence during the war. In the same way, after the orders prescribed by Lord Herbert in 1859, namely, the arrangements made in the barracks for ablution, we have seen that they decreased more rapidly from 1860 to 1866 than they did afterwards. It is a question of hygiene, of cleanliness. Yet you will never for a single moment admit that this decrease may have for its cause a greater reserve with regard to sexual relations, corresponding to development of civilization and intellectual culture, and to better understood preventive hygiene. You will with disdainful gesture eliminate all these elements from the question, and will only retain one thing—Regulation ! You will present it for our adoration as the priest presents the Host for the veneration of his flock !

Another thing. It is stated in England that gonorrhœa has not decreased since the Acts came into force, that secondary syphilis has rather increased than decreased, and that primary sores (including both soft and infecting sores) alone have decreased. These facts embarrass the doctors. Then what does Mr. Barr,¹ surgeon to the hospital at Aldershot, say ? That gonorrhœa, soft sores, and infecting sores are equally dangerous. If secondary syphilis had decreased in the same proportion as soft sores, would he have brought forward this proposition, which is in direct contradiction to all recent works of medical theory and practice ? If he admits that gonorrhœa is as dangerous as syphilis, is it not for the purpose of justifying his

¹ Q. 1743.

proposition of the danger of the soft sore, whilst he seems to preserve an appearance of impartiality?

Thomas Diafoirus : That is an exceptional case.

The Abolitionist : Which is renewed every day in the assize court. Legal medicine has committed crimes. The village Homais (*type of ignorant druggist in a novel of Flaubert*) found arsenic which only existed in their brains. Tardieu saw sodomy where Brouardel denied it.¹ Fournier reminds us that certain doctors advance very much too far in certain cases. We recall the scandal caused by Cornil's revelations in the open assize court ; and the discussions of the four medico-legal doctors at the assize court of Saint-Brieuc, with regard to the affair Quérangal des Essarts, were well calculated to prove the infallibility of these gentlemen!² All of them repeated, "Science says so."

Thomas Diafoirus : It is true.

The Abolitionist : No, science has said nothing. It is you, it is A, it is Z, who have spoken, each one of you with your own notions, according to your own interests and the measure of your intelligence ; and the expression, "Science says so," serves only to betray your want of logic. How dare you pretend to be infallible when the history of medicine is only the history of your errors, especially in respect of the subject which we are now considering ! During the centuries that your ancestors were treating syphilis, they never perceived that gonorrhœa had no relation to it. It is not thirty years since doctors used to prescribe mercury for gonorrhœa. Ricord, after Dupuytren and Chomel, insisted that soft and infecting sore were the same thing, and in order to cure those who were affected with the former—an imaginary *disease*—he poisoned them with mercury. It was only in 1859 that the dualism of the sore was established by Bassereau, Rollet, Diday, and Fournier, and adopted by Ricord.³ It was only at this time that it was stated that secondary syphilis was contagious. Until then, Ricord had given a free patent to those who had it. They could, with the authority of science, contaminate others with a clear conscience.

Ricord said :

"M. Diday is one of those who have most combated the

¹ *Ann. d'hyg. et méd. légale*, août 1880, p. 180.

² February, 1882.

³ Rollet, *Recherches sur la Syphilis*.

facts of contagion from secondary syphilis caught at the breast.¹ At the present time Dr. Diday is terrible, and supposes that every case of syphilis is indefinitely dangerous.”²

Ricord has long denied the fact of contagion from suckling; and certainly if there is an observation which seems easy to make, it is the affirmation or denial of this method of transmitting syphilis. Well, this question has gone through three phases.

Cataneus, Ferri, and Astruc, all declare that the milk of a syphilitic woman conveys the disease—an affirmation without proof, by-the-bye.

There has been discussion on the subject ever since 1760. After making experiments, Padova and Profeta declared that woman's milk contained no inoculable virus. Professor Voss, in Russia, injected milk taken from a syphilitic case into three healthy women—two remained healthy, the third contracted the disease; but it was not proved that she had not contracted it in another way.

Then there was a new phase. Contagion by suckling was proclaimed everywhere, and in 1877 behold Dr. Gallois denies it.³ As for me, I draw no conclusion. I only ask one thing of you—that you will agree amongst yourselves and in yourselves before wishing to impose your infallibility upon us.

Thomas Diafoirus: These divisions are much to be regretted when they come to be known by others than doctors.

The Abolitionist: I have not finished. An unfortunate came back again to the hospital, not so long ago—about twenty years say. You stared at her, and said: “You have not followed up my treatment, and you have infected yourself anew!” and you put her under treatment in consequence.⁴

Thomas Diafoirus: It is true.

The Abolitionist: And you were wrong!

To prove the necessity of establishing a police of morals in Great Britain, Dr. Brunet, of Bordeaux, whilst studying syphilis at Edinburgh,⁵ said: “In the course of his practice our author, M. Fait, has seen a girl who contracted syphilis ten times in the course of two years. He has seen many who have been infected five or six times during an equal period of time.”

¹ Ricord, *Bull. de l'Acad. de méd.*, t. XXIV., p. 935.

² Diday, *Le péril vénérien*.

³ Gallois, *Recherches sur la question de l'innocuité du lait provenant des syphilitiques*, 1877.

⁴ Diday, *Le péril vénérien*, p. 227.

⁵ *Annales d'hygiène*, t. XXXIII., p. 235. 1845.

Before 1864, practitioners looked upon successive outbreaks as exceptional accidents, arising from the imprudence of the patient. To venereal disease was assigned a duration of some months, then it was given two years; to-day M. Fournier declares that three or four years of energetic medical treatment is the minimum that is necessary.

Thomas Diafoirus: M. Diday laughed at M. Fournier on this account.¹

The Abolitionist: You are not even augurs, who laugh one to another. You laugh one at another.

Thomas Diafoirus: It is very vexatious. We ought to have left that to others.

The Abolitionist: That is not all. Not only are you ridiculous—sometimes you are hateful.

Thomas Diafoirus: Oh! do not make any accusation against the honour of the medical body.

The Abolitionist: Certainly I am so much the more at my ease in speaking of it, as I have rendered full justice to the social mission of the medical man.²

But if I reproach a member of a religious body with being too fond of pleasure, I am told that I am striking at the honour of the congregation. Paul Louis Courier was striking at the honour of the clergy when he recounted the history of Mingrat!

There have been doctors who were the auxiliaries of the torturer. They felt the patient's pulse, and decided whether he was still fit to undergo torture, or whether a rest was necessary in order that the torture might be recommenced later on with new energy. When I state this fact, and at the same time do not absolutely approve of the co-operation of these doctors with the executioner, do I attack the honour of the medical body? It seems to me that it is these doctors who strike at the honour of the body to which they belong by undertaking such work. It is time to set ourselves free from the prejudice which consists in making the man who denounces the fault, the crime, or the shame, responsible for it, and to put the weight of responsibility upon him who commits it.

Thomas Diafoirus: Oh, now-a-days, I know how to use other arms than syringes.

The Abolitionist: Very well, then, that is understood. You have demanded a retraction of me; I have refused to give it

¹ Diday, *Le péril vénérien*, p. 235.

² See *Etudes sur les Doctrines Sociales du Christianisme*, p. 340.

you, and I have again in this book ¹ repeated what you denied. At the first pass, you fell ; at the second, I received a sword-thrust through my arm. These are reasons of a nature completely to clear up the question !

To-day, then, Thomas Diafoirus, when you must be cool, allow me to tell you that you estimate your honour in a queer fashion.

You are a doctor. When you receive a woman in your consulting room, you have not to consider her social position. She is a patient. You give her a consultation, receive your fee, and fulfil your function as a doctor. I stated this fact, and you feel yourself attacked in your honour.

On the other hand, M. Lecour and men like him make of you an auxiliary to the police of morals. You accept this situation without protest. Confess that you lack logical method as much in the matter of your honour as in that of prophylaxis.

But I return to what I said to you just now : that certain colleagues of yours have allowed themselves to commit what are veritable crimes.

Read the official report ² of a commission composed of MM. Velpeau, Ricord, Devergie, and Depmel, calmly mentioning five inoculations with syphilitic matter practised at the *Hôpital Saint-Louis* upon unfortunate sufferers from lupus of the face, and who, besides, were untainted by syphilis before the experiments.

Wallace, in 1835 ; Vidal, in 1850 ; Bœck, of Christiania, in 1854 ; Waller, of Prague ; Henry Lee, surgeon to the Lock Hospital, London ; some Italians, &c., have repeatedly inoculated adults in this way. Dr. Bœck had inoculated a single leper with 500 or 600 soft chancres. Why this abundance ?

An infant was inoculated with syphilis on the 7th January, 1859, at the Antiquaille of Lyons by M. Guyenot. The parents prosecuted. Drs. Desgranges, Rollet, Bonnaire, and Lacour, in a memorandum addressed to the tribunal, concluded that a real service had been rendered the child by the doctors who treated it ! In spite of this affirmation, the correctional tribunal of Lyons fined the doctor who had inoculated the child 100 francs (£4 3s. 4d.), and the doctor who had authorized the inoculation 50 francs. This was a trifle !

The magistracy were also aroused by the inoculations prac-

¹ Part II., chap. second, p. 214.

² *Bull. de l'Acad. de méd.*, t. XXIV., p. 940. 1858-1859.

tised by Dr. Gibert. Tardieu¹ was sent down as an expert. The unhappy sufferers had an incurable disease, and one disease more or less, what mattered it? "On these considerations the affair was not followed up."

And but yesterday, M. Bouley, openly in the *Académie de Médecine*,² thanked the doctors for having thus practised experimental methods.

Yet Ricord thus outrageously reproaches them :

"I have never, gentlemen, been willing to use the lancet charged with syphilitic pus to a subject that has never had venereal disease, and hence has arisen my error with regard to secondary symptoms. It would be necessary to inoculate healthy subjects with syphilitic pus, and I have never been willing to do this. Others have been bolder and have succeeded. As for me, gentlemen, I did not believe I had any right to do it. I experimented on myself, I inoculated myself, and I ask that this is what should be done."

M. Fournier, following his master's tradition, says in his turn :—

"They have inoculated with syphilis healthy subjects selected as cases for experiment. If I had to judge of the morality of such acts, I should tell you energetically what I think of them."³

M. Gibert himself was obliged to say, "I am the first to condemn inoculations in healthy subjects, and I would not recommence them for anything in the world. It is a wrong action, but has been in a measure forced upon us by the obstinacy of our adversaries, who accused us of want of exactness in our clinical observations."⁴

So the unfortunate are available as subjects for experiment. "Inoculation is a wrong action." But it is practised in order to support a scientific theory ! It is still going on !

Dr. Mireur, surgeon to the dispensary at Marseilles, inoculated healthy subjects with syphilitic semen. He proved that it was not contagious.⁵ Who is to assure me that some other day he will not experiment, with entirely different results, on the wretched women at his disposition, and whom he does not look upon as ordinary patients?

¹ *Maladies provoquées, Ann. d'hyg.*, t. XXIV., 1864.

² November, 1881.

³ Fournier, *Leçons sur la Syphilis*, p. 7.

⁴ *Bull. de l'Acad. de méd.*, t. XXIV., p. 940. 1858-1859.

⁵ *Annales de dermatologie*, t. VIII., p. 423. 1876-1877.

In these prisons, in these hospitals where you reign as a master with closed doors, you, Thomas Diafoirus, can practise this human vivisection in peace, upon unhappy women who cannot appeal, and who are without help and protection !

Thomas Diafoirus : These women ? Are they women ? They are "unhealthy establishments."¹

The Abolitionist : You confirm what I have just said.

Thomas Diafoirus : You are an enthusiast and sentimentalist. I am neither an enthusiast nor a sentimentalist, but a man who is serious, full of respect for what has been done, and desirous of making my way along beaten paths.

The Abolitionist : Beaten indeed ! this is what condemns you. The *Conseil municipal* has been considering this question since 1876. Their inquiry has pointed out certain ameliorations as being important to be introduced into this service, if we admit that it is to be kept up. M. Fournier has indicated several of these in his deposition ; M. Bourneville has asked for them. Well, what account have you made of this ? You have always considered that there is a sufficiency of water at Saint-Lazare, and that its hygienic conditions are excellent, showing very well that the very last of your solitudes is to take care for the women who are delivered up to you.

Thomas Diafoirus : Oh !

The Abolitionist : Another fact. Congresses have been held at Geneva and Genoa. Why have you never come forward there to defend your theories ? There were doctors, nevertheless, at these congresses, and men of mark, such as Dr. Nevins, Dr. Chapman, Dr. Bertani, &c. You have a seat at the *Conseil municipal* of Paris. Why have you never discussed the question ? Why have you contented yourself with declaring that the system was excellent, when facts proved to you the contrary ? You excommunicate your opponents, brandishing your speculum as a crozier ; but excommunications never proved anything.

Thomas Diafoirus : But I do assert myself in our *medical* congresses. The Congress of Vienna of 1873 demanded that the police should not depend at all on municipalities, but only on governments ; that all soldiers, sailors, police agents, civil employés of government, men and women working in manufactories, all people going to fairs, to markets, and on pilgrimage (!) should be submitted to a minute medical examina-

¹ Dr. Thiry, *Lettre à M. de Laveleye*, March, 1881.

tion. The Congress of Turin of 1880 has also called for this measure for all crews of ships coming and going. The expenses should be entered in the budget of the State. A sufficient number of salaried doctors should be appointed to this office. Dr. Gibon asked the United States to organize a sanitary service which should extend like a network around every hamlet, borough, village, and city of the American Union. "There is," said Mr. Sims, "a cloud of doctors spread over the country, who are recruited by thousands, and the greater part of whom are suffering from enforced leisure and hunger. Why not make of them heads of committees for a sanitary police?"

The same person asked that there should be an examination of the sailors and of the between-deck passengers, and that the syphilitic cases should be sent to hospital.¹

The Abolitionist: And the first-class passengers? You pretend with Dr. Holland, himself an Englishman, and Dr. Bouchardat, that all English civilians are syphilitic. Why allow them freely to import their diseases into France? Why not have offices for inspection at Dover and Calais, where gentlemen and ladies should be examined? for if the gentlemen are syphilitic, the ladies must be the same! That would be a sanitary protective measure which would advantageously complete the protective duties of M. Pouyer-Quertier. If we ought not to allow ourselves to be inundated by English productions, for much stronger reasons we ought not to allow ourselves to be flooded by English diseases.

Thomas Diafoirus (sighing): Unhappily there are opposing prejudices.

The Abolitionist: You call them prejudices! For myself, I protest against this tendency of scientific miscarriages towards endeavouring to obtain their practice by compulsion. In 1848 the socialist authorities claimed the right of labour; you claim the right of the speculum.

You set yourself to make terrible use of it. You were seen at Provins to make use of this instrument to a young girl who was about to be married. An agent of police in the chief town of a canton hears that a young girl is ill. He goes to her workshop to look for her. He brings her to you, you operate² with no more objection than the Belgian doctors had to inspect the

¹ A. Powell, State Regulation of Vice.

² *Petit Parisien*, 20th October, 1881.

virgins that Madame Paradis or the girl Parent brought to them.

Thomas Diafoirus : Oh ! we do not speak only of the speculum. Dr. Diday says that we ought to require a certificate from men before their marriage.

The Abolitionist : And as a consequence, from women ?

Thomas Diafoirus : That would be logical, but we have still many other functions to fulfil.

Dr. Bœns, of Charleroy,¹ said, at the Congress of 1867, " We must license houses for all classes of society ; and each tenant must have his own tariff, indicating the price per hour, or night, for each woman that he gives up to the public."

The Abolitionist : That is carried out in Italy.²

Thomas Diafoirus : An excellent system. Besides that, in order to avoid unpleasant lawsuits, like those of Brussels, I should like to see the city cultivate the tolerated houses by taking a share in the management, as Commandant Richard recommends, instead of leaving them to private enterprise.³ This would be a considerable source of revenue.

The Abolitionist : And they might give the tenancy of them to doctors.

Thomas Diafoirus : I had not thought of that, but it is an excellent idea which responds perfectly to the system of M. Crocq, and of M. Gibon. They might at the same time examine both men and women. I shall submit this proposition to the next hygienic Congress, and it will be adopted ; for, as Dr. Gross says, " I do not war with prostitution." ⁴ On the contrary, Dr. Thiry, M. Jeannel, and all of us, consider it indispensable ; for man has sexual instincts, and he must satisfy them.⁵

The Abolitionist : In consequence of which we must make instruments of pleasure for man, tools for his satisfaction ?

Thomas Diafoirus : Yes !

The Abolitionist : Of flesh, bone and blood ?

Thomas Diafoirus : Oh, oh !

The Abolitionist : But do you admit that desire is imperious from the time that puberty commences ?

¹ Congrès de 1867, p. 372.

² See above, p. 54.

³ *La Prostitution devant la philosophie*, 1881, *Ghio, édit.* An original work, and one which contains a great number of truths in the midst of serious errors.

⁴ Congress of Detroit, 1874.

⁵ This part of the conversation relative to the necessity of prostitution is word for word. My interlocutor was Dr. C——.

Thomas Diafoirus : Yes, that time even is the moment when it is most ardent.

The Abolitionist : In our cities, puberty manifests itself on an average at about fourteen or fifteen.

Thomas Diafoirus : Yes.

The Abolitionist : Then you conclude that instruments of satisfaction are necessary to young people of fourteen and fifteen, and since you consider the brothel as the necessary appendix to the barracks, you ought to annex one to each of our colleges. Do you go so far as that ?

Thomas Diafoirus : Do not ask me for a solution. I am not a legislator.

The Abolitionist : This excuse is an evasion. You have a son ; what do you with him ?

Thomas Diafoirus : Well, my son does not require . . . his moral principles are stronger . . .

The Abolitionist : 'Take care ! You will make me believe that your son is suffering from arrest of development.

Thomas Diafoirus : How ?

The Abolitionist : Charles Robin says, "Social education leads in man to the growth of the whole of the brain, and consequently to that of its parts which are in anatomical and physiological relation to the genital organs, at an earlier period than these latter are developed."¹

Thomas Diafoirus, being rather troubled, remains silent.

The Abolitionist : That is not all. You have a daughter also.

Thomas Diafoirus : Yes.

The Abolitionist. Now Robin adds, "The preceding social fact has the result of causing the sexual instinct, both feelings and desires, to assert themselves before the ovary and ovules, the testicles and spermatozoa, have been properly developed. Hence there is often a premature use of the organs.

"On the other hand, and in an inverse degree, social necessities have the effect of putting off coitus legalized by marriage to a period long after arrival at the age of puberty."

Now you see, Thomas Diafoirus, Robin does not speak solely of men, he speaks of women also. If, in the name of science, you proclaim the necessity for men of instruments of enjoyment, in the name of science you ought to give them to

¹ *Dict. encyclop. des sciences médicales*, by Dechambre. Art. *fécondation*, by Charles Robin.

your daughter ; and you refuse them both to your son and to your daughter ! You see very well that if you speak in the name of science, you do not act in its name. I take you, when it is a question of your own, in the very act of repudiating the science which you invoked when it was a question of others !

Then your ideal also is to concentrate prostitution in tolerated houses. But have we not seen that all the women in these houses had syphilis ?

Thomas Diafoirus : So much the better. When once their secondary disorders have come to an end, they cannot contract syphilis again. The advice which I give to all young people is : in order to avoid venereal disease, only have to do with the older women of the brothels.

The Abolitionist : But then, instead of your arrests, your periodical inspections, and all your insignificant measures, take that one which I have already indicated.¹ Let the police agent seize every person "whom he has good reason to believe to be a prostitute." He will bring her to you, and you will inoculate her. You will shut her up for three or four years, until she is cured, and then you can put her into circulation, perfectly warranted !

Thomas Diafoirus : That would in fact be the solution ; but Bouchardat rejects it, because he believes that "the fear of syphilis may be useful to the conservation and perfecting of the species."²

The Abolitionist : Then he rejects all systems of police of morals, of compulsory inspection, and of prophylactic measures for diminishing this fear ?

Thomas Diafoirus : Quite the contrary. Do you think it of him, a hygienist ? He demands them as measures of public safety.

The Abolitionist : Then, according to him, the result of the police of morals is not to diminish the fear of syphilis ! He is quite right.

Thomas Diafoirus : You are putting your own interpretation.

The Abolitionist : I am not doing so. I state that if he believes at the same time in the necessity for fear of syphilis, and in the necessity for a police of morals, he considers that this latter is well calculated, by the results which it obtains, to inspire this terror. We agree.

¹ See *supra*, p. 248.

² *Traité d'hygiène*, 1881, p. 933.

Thomas Diafoirus : If you suppress the police of morals, you must wish for the destruction of humanity.

The Abolitionist : Then humanity was destroyed before 1802? The civil population of England is destroyed.

Thomas Diafoirus : M. Bouchardat declares that it is eaten up by syphilis.

The Abolitionist : What proofs has he?

Thomas Diafoirus : I know nothing about that.

The Abolitionist : So that is authentic. But according to statisticians, there are about 1,300 or 1,400 millions of people on the earth. Suppose that the morals police is brought to bear on the whole population of the countries where such police exists (which is not true), it would not be acting upon more than one per cent. of the population of the globe. There remains then, at the lowest figure, 1,200 millions of human beings deprived of its benefits. If this police of morals were as beneficent, and the influence of syphilis were as terrible as you pretend it is, man must long ago have disappeared from the globe.

Thomas Diafoirus : But in Mongolia, and in China, everybody has syphilis. Dr. Magitot declares that all the Kabyles have syphilis.

The Abolitionist : That does not prevent these peoples getting and bringing up children. All the world pays respect to the energy and vitality of the Kabyles. But if all the world has syphilitic blood in its veins, all the world is inoculated. Syphilis does not repeat itself. The problem is solved.

Thomas Diafoirus : Say all that you will. A nation cannot disregard its public health. Hygiene is the religion of the future.

The Abolitionist : And of the past—it is that which terrifies me. It was evidently regard for public health which in the first instance impelled the priests to prescribe circumcision to the Jews, and to proscribe the pig and the hare as articles of food. Are you now going to impose on me a new Lent? Are you going to enter my kitchen on the pretext of determining the quantity of nitrogen, carbon, and phosphates which is necessary to me? *Absit!* as the doctor Recio said to Sancho Panza. Shall you order me to go to bed at such an hour, and to get up at such another? In certain Oriental cities the muezzins from the top of the minarets every morning give the signal for duty. Are you going to regulate matters in like manner, and to name the hour, the mode, and the quantity? How will you provide against non-observance and excess?

I permit you to regulate certain things, but those with discretion. You have instituted severe schools, at the expense, it is true, of poor devils who were not in fault. You have condemned dairymen and vendors of pure wines. You have forbidden us to eat American pork, and condemned poor people to die of hunger for fear of a trichina which has never killed any one in France. Then you were willing to recognize your error at the end of little more than a year. That was indeed meritorious on your part. You forbid industries to make use of the new products that chemistry puts at their disposal, pretending that your diploma gives you the exclusive privilege of poisoning us. We will discuss all these questions another day. Put the houses in order, cleanse the latrines, purify the sewers ; occupy yourself with such things as these. What I forbid you to do is to lay your hand upon me, upon my person, and to submit me to your experiments !

But since syphilis occupies your attention so much, why do you not treat it freely, everywhere, in suitable hospitals ? Why do you pretend that women can only be treated in your prisons, where you do all that is necessary to inspire them with horror for their quarters ?

Thomas Diafoirus : If they were free to take care of themselves, they would not do it.

The Abolitionist : Yet there are women who go to Lourcine, although that hospital is not a very comfortable one.

Thomas Diafoirus : They do not remain there for a sufficiently long time.

The Abolitionist : According to Dr. Diday, syphilitic cases ought never to leave the hospital. But Dr. Charles Drysdale, physician to the Rescue Society's Lock Hospital, declares¹ that "women, and even very young girls, remain there voluntarily for six months, until they are completely cured of every syphilitic symptom ; and I think that this would be universally the case if the unfortunates attacked with venereal diseases could be cared for without loss of their liberty." Mr. Cooper, secretary to the Rescue Society, confirms this. Mr. J. R. Lane, surgeon to the Lock Hospital, London, "was formerly a partizan of compulsory cure ; but experience has shown him that if women could quit the hospital at will, a greater number would enter it."

Dr. Jago, of Plymouth, is for voluntary admission into hospitals which would not be called Lock Hospitals. He

¹ Report, 7th July, 1879.

would have the venereal cases distributed amongst general cases.

"Doubtless," he adds, "there would be some difficulty upon the arrival of a fresh regiment or vessel. Some of the women probably would leave before they were cured ; but many would enter who do not come to hospital at all under the compulsory régime ; and in the long run the gain would be greater than the loss. Women desire to be cured of these diseases as much as men, or even more."

Thomas Diafoirus : These are private opinions.

The Abolitionist : It seems that your opinions are not private. But see here what proves that Dr. Jago's opinions are pretty generally held. According to the interpretation of an article of the poor law of 1867, workhouse doctors have the power of detaining persons attacked with mental diseases, or with contagious diseases, until they are completely cured. An inquiry with respect to these was made in January, 1880. Seventy-five replies were received from masters of the largest workhouses, and nearly all were to the effect that persuasion was entirely sufficient to induce the patients to remain until they were cured. According to collective evidence, it may be concluded that, out of 100 women suffering from venereal disease, 75 will remain as long as the doctor wishes ; that 25 will leave before they are completely cured ; but that amongst these 25 women are married women infected by their husbands, and young girls who are not prostitutes. These return to their employment without danger to any one.

Thomas Diafoirus : Oh ! in England ! but in France ?

The Abolitionist : Here is testimony which you will not challenge. Vic. Gibert said in 1802, at the time when the dispensary system was being instituted, that at the hospital for venereal diseases, "there are so many prostitutes who present themselves spontaneously that it is necessary to refuse 80 or 100 of them every decade"¹ (ten days). Their treatment was interdicted at other hospitals ; at the same time, they were crowded together at *La Force*. M. Anglès, in 1816, acknowledged "that he had so clogged up this house that at one time they were so heaped up there as to lie four in one bed ; that many hundreds remained without treatment for a pretty long time, &c." To compel women to come under treatment in the name of public health, but not to permit their doing so in the

¹ Parent-Duchâtelet, t. I., p. 630.

name of public morality ! Such is the sum of the logic which your system defends.

Thomas Diafoirus : But the inspection ?

The Abolitionist : I will answer you by a page from one of your colleagues, who, it is true, is also a thinker, Dr. Tripier :

“ I contend, then, that the propagation of syphilis is especially the work of two categories of infected persons, both of them subjected to periodical inspection : soldiers, and registered women. The soldier and the woman consider themselves as doing the whole of their duty with respect to a discipline which for them has become the whole of law and the whole of morality, when they present themselves for inspection on the appointed day. So long as they are not detained at the hospital, they communicate their disease without scruple. Besides this, those who have or who think they have any interest in avoiding inspection, find the means of escaping it. The proof of this is shown by the cases of long-standing at their admission into hospital, which constitute the greater part of military venereal cases, especially those which belong to corps in which this misfortune is considered as bringing one into ill repute, notably to the *gendarmérie*. Is it certain that things go on differently with the women ? The doctor has only those to examine who are brought to him.

“ To sum up, the regulation of prostitution, whilst it creates for subjected women a pretence of safety which has many more inconveniences than inspections have advantages, offers no hygienic guarantee. It is then very desirable that the administration should give up making itself, under pretext of public health, the purveyor for public debauchery.”

Thomas Diafoirus (with dignity) : I shall answer with Dr. Ortille (of Lille) that I shall not allow myself to be influenced by the clamours, either present or to come, of the *Lanterne*.

The Abolitionist : One last word : if the results of the system were as successful as they are unsuccessful, I should still reject it, because I place respect for the human individual above the question of hygiene, and because I cannot admit administrative intervention in sexual relations. And now, my friend, go and defend your speculum as you have defended your paternal syringe ; you will remain with Drs. Jeannel, Thiry, Ortille and *tutti quanti*, Moliere's immortal physician.

CHAPTER FIFTH.

THE ARGUMENTS OF JOSEPH PRUDHOMME.

Safeguards for families—Mrs. Butler's proposition—Public morality—The ball at the Opera—Fine-art-school models—Various examples—The public road—Obstructing it—The Palais-Royal—My son!—My wife!—Law concerning solicitation in London—Joseph Prudhomme and Joan of Arc—Solidarity of all liberty—Regulation of irregularities—Official prostitution—Old conception of sexual relations—Morality of a degrading kind.

Joseph Prudhomme : Prostitution is the safeguard of the family.

The Abolitionist : Then the women who are sacrificed to it belong to no family? Is the brothel in which your daughter's future husband contracts syphilis any safeguard for your family?

Joseph Prudhomme : Prostitution is a necessary evil.

The Abolitionist : If it is necessary, how will you answer Mrs. Butler when she says to you, "If prostitution is necessary, why do not good citizens, the great, the rich, the prefects of police, magistrates, senators, and deputies, contribute to this indispensable sacrifice, by conducting their daughters and sisters to registered houses?"¹

Joseph Prudhomme : Those sorts of things are not matters for discussion.

The Abolitionist : In fact this social duty is left, with so many others, to the daughters of the poor man. But at least do not persecute them.

Joseph Prudhomme : But public morality must be defended.

The Abolitionist : Listen. There is at Paris a superb monument which is really streaming with gold. It has cost, at the very least, two score million francs (about a million and a half sterling). It is a national monument—O Prudhomme!—erected at the expense of all the taxpayers. The Bas-breton peasant, who will never see it, has assisted it with his pence,

¹ Meeting in the *Rue d'Arras*, 25th January, 1877.

pro rata of his taxes, just as the member of the Jockey Club does, who goes there every evening. It is a palace of which France is proud, and which you willingly admire, the question of art put aside. Foreigners envy us for it. It bears written on its façade the solemn words: *National Academy of Music*; so that it is a public official building, supported by the authorities, in which only acts approved by authority must take place, acts which are conformable to its doctrines, to its ideas, and to the public morality which the State represents, and of which it is the guardian.

See to what use this national palace was consecrated last night:

There was a *bal masqué*. An armed force, *gardes de Paris* and *sergents de ville*, were at the approaches of the illuminated façade, to regulate and facilitate access to it.

On the staircases, in the saloon, in the corridors, were passing, to and fro, men in black dress, and women in domino, whose faces were concealed by a mask, behind which bold and enticing eyes were glancing. Other women displayed bare bosoms and legs enclosed in tights. Certain of these women were sitting down in significant attitudes. Words were changed which had nothing innocent about them. Groups formed and dispersed unexpectedly. The persistency with which certain women remained in the same place and in the same position, sufficiently indicated the motive which brought them there. The market was open: demand answered supply. It was a fair, a business fair, and a fair of human flesh.

But a pretext for this fair was necessary, and here was the pretext. At the foot of a large orchestra, led by the frantic fiddlestick of a lunatic, were moving in constant agitation, and crossing each other's paths, men and women covered by masks more or less hideous and grotesque. These men and women were setting their wits to work to find, I do not say the most lascivious postures, no, but postures of the most shameless impudence. The wretched men, with their livid complexion and faded countenance, whose style, gait, voice, and expressions recalled the most melancholy types of the population of Paris, were in continual motion, trying to invent some horror which should assure to them a success and excite applause, provoked for the most part by the admiration always felt in seeing some one do what one would not do oneself.

These *lawless* men had for their companions women with cracked voices and faded features, some of them handsome,

with a certain immodesty, and full of vigour, but the greater part exhausted, bow-legged, and ill-made, seeming to be as poor physically and morally as their coarse dress, their cotton tights, their petticoats of coarse machine-made lace, their paper artificial flowers, and their corsets of faded velvet, whitening at the seams. All this dissimilar mass moved about with a sort of used-up violence.

These gestures and attitudes, all these horrors, were displayed there with the consent of the authorities who look after public morality. Much more than this, these people had been brought there by the representative of authority, the director, subsidized by the pence of all the ratepayers, of a national theatre. They were paid by him. These men and women, the scum of the population of Paris, and of whom the greater part live only by prostitution, and make a trade of depravity, these creatures were there on this night, as public functionaries doing their work in a public building.

The spectators of this picture were seeking for erotic excitement and intrigues as a consequence. They were sultans repairing to the public harem to throw the handkerchief there. The greater part of the women, both spectators and actors, had come to pick it up. Thus on certain nights, in a society which has for its basis the institution of monogamous marriage, a national palace is found specially consecrated to the satisfaction of beings of whom some are seeking polygamy, others polyandry.

This search is made openly, frankly, surprises no one, and is accepted by all by the help of gestures which are energetically shown, and words clearly accented. There is mentioned in our laws an offence which is called "public outrage on modesty." What is the definition of the offence?

These black coats, white neckties, and open waistcoats, are worn by members of the governing classes. They are full of sound notions and good principles. They are protectors of family life, O Prudhomme! They either are married or will marry. They are correct people. Monogamy is their doctrine. Only they practise polygamy, and live in the midst of women who practise polyandry.

The purpose of a *bal masqué* is to reunite men and women who tread the *Code Civil* in this way under foot, who do not take marriage *au sérieux*, and who may from ten in the morning to six in the evening find that the family is the foundation of society, but who certainly from midnight to six in the morning

find that it is only agreeable when left at home, or contained in the archives of official common-place.

A *bal masqué*, in which all these things are found, is a national solemnity, conducted in a national palace by an official representative of authority, who is subsidized by the national pence.

And now, Joseph Prudhomme, answer me this question :

What is public morality ?

Joseph Prudhomme : That sort of thing which attracts foreigners !

The Abolitionist : So that is your public morality ? but it is also the morality of the *tenancier* of the licensed houses. You agree with each other.

Joseph Prudhomme : The opera balls might be suppressed.

The Abolitionist : This is not all. Do you know how you encourage the arts ? At the School of Fine Arts, a week in every month is set apart to female models. On the Monday of this week, the four ateliers are invaded by troops of girls of every age from nine to twenty-five. When the pupils are assembled in each atelier, the syndic orders the models to undress. When they are in a state of complete nudity, the pupils submit them to minute inspection, and discuss this one or that one with as much science as a slave-merchant. One makes such and such a position to be assumed, another wishes to see such and such a movement. They discuss and get warm over it, and commend the merit of a blonde, or the charms of a brunette. At last they vote on the matter ; and she who has the most votes is admitted for a week to pose before these gentlemen !

Here we have a sufficiently pretty collection of periodical outrages to modesty at the cost of the ratepayers.

Joseph Prudhomme : That is true.

The Abolitionist : Such and such a fact is considered as an offence in a town, and as a normal fact in another locality. A man who bathes without a bathing-dress in Paris or its environs commits a public outrage on modesty, and can be punished for this offence ; in other localities, this act is as indifferent as in London, where, in Hyde Park, in summer weather, hundreds of men may be seen bathing in this condition. On the whole of the strand, from the English Channel to the Bay of Biscay, at the time of high tide, the fishermen's wives, for the necessity of their calling, arrange their garments in a way which in certain towns would constitute a public outrage on modesty, whilst as

it is this act is considered indifferent. A woman who would in Paris go out into the street in a ball dress, would probably be found guilty of a public outrage upon modesty, whilst in a drawing-room she would offend no one. You hear maledictions, in the name of public morality, upon theatres subsidized by public authority. This our guardian of public morality peoples the public gardens with statues which are really outrages to public morality ; in our museums and on our monuments are displayed images which are in flagrant violation of actual conventions relative to public morality. I will only mention the nude figure of masculine youth in the bas-relief of Rude on the *Arc de Triomphe*, the group of *danseuses* of Carpeaux, and the Genius of Liberty, which surmounts the column of the *Place de la Bastille*, and looks over Paris with its enormous *phallus*.

Joseph Prudhomme : I thought it a more simple affair than it is.

The Abolitionist : Cease then to make use of a word so elastic and susceptible of so many contradictory meanings ; for it is in the name of public morality that you organize your licensed houses.

Joseph Prudhomme : Yes, but at anyrate we clear the public road of prostitutes.

The Abolitionist : Not in giving up for purposes of prostitution certain streets and certain quarters ; not in establishing women *en carte* at the causeway corner with authority to entice the passers-by ; not by placing girls at the door of licensed houses to solicit clients.

Joseph Prudhomme : Well, we must shut all these women up in the licensed houses.

The Abolitionist : You know that M. Lenaers himself declared that this was not possible.

Joseph Prudhomme : But we must in the end sweep the causeway clear.

The Abolitionist : The public road belongs to all.

Joseph Prudhomme : It is for that it exists.

The Abolitionist : But consider that if the public road belongs to all, it belongs to women as much as to men. It belongs to prostitutes as to other women.

Joseph Prudhomme : But they block the public road !

The Abolitionist : Less than you do with your carriages and carts. In your blind egoism you likewise demand restrictions upon the café terraces. Only you are the first to go and seat yourself there, and you would be very sorry to see the boule-

wards without the women who pass up and down them. You complain willingly enough of the blocking of certain streets ; but we call a street active and alive when it is one which becomes blocked, and which as a consequence makes itself as useful as it possibly can ; we call a street dead when no one passes along it, and the opening up of which has been a useless expense. It is in the first that you would buy your own house ! You frequent it, and complain of the crowd which blocks it up, without seeing that you yourself assist in the blocking, and that you are a part of the crowd. Pedestrians complain of the carriages, the cabs of the omnibuses, and the omnibuses of the tramways ; these are manifestations of the egoistical sentiment by virtue of which man, referring all to himself, would have all social advantages without experiencing social inconveniences. It is the same with regard to the question of prostitution in the street. Those who exclaim the loudest are precisely those who go to the places which are frequented by prostitutes ; and perhaps without giving strict account of it to themselves, because they are so frequented. We are not always hypocrites solely to others : frequently we are hypocrites to our own selves. It is evident that if a clearance were made where there are women carrying on prostitution more or less, the causeways would quickly be disencumbered. But you perhaps would be the first to complain to yourself of it.

Joseph Prudhomme : I ! *par exemple* !

The Abolitionist : Do not come too near ! You remember the wooden galleries of the *Palais-Royal* ?

Joseph Prudhomme : My father had a shop there.

The Abolitionist : Well, listen to what I find in a monograph upon the *Palais-Royal* :

“The shop-keepers of the *Palais-Royal* allowed themselves to be persuaded that the promenade of the public women defiled the galleries and drove honest people away. They petitioned, and to their misfortune, their wish was granted. The women were expelled ; but to the great vexation of Morality, it is needful to say that this measure was the signal of ruin to the *Palais-Royal*.”¹

Joseph Prudhomme : It is true.

The Abolitionist : You are frequently the first, in your quality of merchant, or *restaurateur*, to make a profit by this prostitution, which you anathematize with so much violence when you wish to put on your virtuous mask. Inquiry at New York has

¹ *Paris-Guide, Jardin du Palais-Royal*, t. II., p. 1313.

shown that the majority of houses for debauchery belonged to persons who were pillars of Church and State.¹ Accustom yourself, then, to look upon the public road as belonging to everybody—to the performers of the 8th January as well as to funeral processions. You will come to it. Yesterday you were not willing to recognize right of passage along the public road to civil funeral processions. To-day you wish only to reserve this right to yourself and your wife.

Joseph Prudhomme : But, my son. . . .

The Abolitionist : Speak for yourself.

Joseph Prudhomme : I do not wish when I have my wife or daughter on my arm, to meet women whose presence alone is an insult to them.

The Abolitionist : The dangerous person for them is the gentleman who follows the women. Why do you not demand his arrest?

Joseph Prudhomme : They (the wife and daughter) do not ask for it. They ask for the arrest of the women.

The Abolitionist : I understand that. These ladies are very susceptible. If they had been born poor, in another rank of life, where would they be? As for yourself, you wish to have the prostitute discreetly shut up, that you may go and see her when it suits you ; who is prepared, warranted sound by the police ; whom you are not exposed to the danger of meeting on the public road, where she might accost you, to the great scandal of those who you abuse by your hypocrisy.

Joseph Prudhomme : Then you wish for freedom of prostitution as in London? . . . Well! I do not.

The Abolitionist : You have been shocked by the sight of the women who pass up and down the Haymarket in the evening.

Joseph Prudhomme : Yes.

The Abolitionist : Well, Joseph Prudhomme, with your habitual simplicity you are giving the strongest argument that can be mentioned against any kind of regulation of prostitution.

Joseph Prudhomme : How?

The Abolitionist : Because in London there is a severe law against solicitation, inflicting a penalty upon "every common prostitute or night-walker loitering or found in any passage or public place for the purpose of prostituting herself or soliciting passers-by or residents to their annoyance."²

They must not be stationary. They must not be the first to

¹ *Actes du Congr. de Genève*, t. I., p. 207.

² Police Act, 2nd and 3rd Victoria, ch. xlvii., 2nd sub-section of section 54.

speak to a man, unless the man accompanies them thereupon. It is always the application of the principle by virtue of which the man has a right to solicit the woman, whilst the woman has not the right of soliciting the man.

If they infringe these rules, the policeman seizes them. They are put in prison, and condemned to a penalty whose amount varies according as the report is more or less "*corsé*."

Joseph Prudhomme: Then you think that the prostitute is as much a woman as any one else?

The Abolitionist: George Eliot says: "If you consider the prostitute to be necessary, I will invite her to my table." When you are *tête-à-tête* with her, you are quite of my opinion; for it is you who are her principal client.

Joseph Prudhomme (*making a round O of his mouth and opening his eyes widely*): Oh!

The Abolitionist: I am happy to learn that, until the day of your marriage, you could emulate Joan of Arc, and that since then. . . . Hum, hum! let us not pursue the subject. But you wish to obtain morality at the expense of the women. All men require a scapegoat whereon to lay their hypocrisy. Alas! "the excess of corruption is to save the corrupter, and to make the chastisement of crime fall upon the head of the victim."¹ Then you would make castes and classes, as if the degradation of others exalted yourself. Sir Harcourt Johnstone (now Lord Derwent) made the following profound remark:

"The majority of the aristocracy and of the clergy have been partizans of the *Acts*,² that is to say, the classes which have been opposed to all liberty, the liberty of the press, commercial, and municipal liberty."

Joseph Prudhomme: Then he put, and you also put, freedom of prostitution on the same footing as freedom in these other respects?

The Abolitionist: Certainly, and not only I, but the adversaries of prostitution do so; for it is continually here a question of respect for the human individual, of the freedom of his actions, and of the diminution of the power of direction which the State and the privileged classes have so long arrogated to themselves.

Joseph Prudhomme: Confess it frankly; you would encourage prostitution. . . .

¹ *Encyc. méth. Police et municip.* Art. CORRUPTION DES MOEURS

² Sir Harcourt Johnstone, speech of the 28th Jan. (*The Shield*, 8th Feb., 1879.

The Abolitionist: No, it is you who encourage it "by surrounding the tolerated houses with all the protection of the police," by matriculating the women, giving them a health warranty, and by allowing them to employ "provocation to debauchery in a certain measure," determined by your own caprice. Have you ever dreamed of organizing theft or assassination? You discover that prostitution is a disorderly act: "Logically," said pastor Pierson, "you ought to try to regulate also the running of railway trains off the line."

We, on the contrary, would substitute a disorganized for your organized prostitution, individual for your protected and official prostitution; for we consider that, if we cannot hinder acts of this kind, it is not our business, at least, to regulate them. We do not wish to give to these acts of polyandry and of polygamy the public character with which you oblige yourself to invest them.

The whole system of all your regulation is a transformation of the most ancient conception of the sexual relations. Amongst the least advanced nations, the Australians, Fuegians, and Kamschatdales, amongst the primitive Greeks, Romans, and Slavs, man proceeded by way of capture. If the custom has disappeared from amongst many nations, the ceremonial has been preserved. Brutal seizure is transformed into a sale amongst the Hottentots, the Kaffirs, in the Gaboon, amongst the Ashantees, and nations of a more advanced civilization.

The purpose of the police is to organize this sale, but to the detriment of the woman and the benefit of the buyer.

It acts so that man may easily find the woman when he wishes, and that he may not be importuned by her when she is not wanted.

It completes its work by trying to guarantee him merchandise of good quality.

It used to believe that its intervention was indispensable in the organization of market-halls and market-places in order to make sure of a stock of provisions. It still believes its intervention to be indispensable in regulating the market for sexual engagements.

Joseph Prudhomme: This is too philosophical for me. Tell me what you wish; it is my conviction that you are favourable to prostitution.

The Abolitionist: No; and I will tell you very clearly the reasons for which I find it to be dangerous. Certainly I recognize the right of woman to dispose of herself, her beauty, and

her body, just as I dispose of my brain and arms. But it is evident that, in this continuous pollution (of prostitution) she almost always loses something of her individuality; she is forced to certain lies and certain hypocrisies which lower her being; she undergoes moral depreciation.

In the same way the man who visits her, and who lets himself be mastered by the search after the pleasures which she can procure for him, leaves behind him somewhat of his energy and mental spring. He, equally with her, undergoes moral depreciation.

I blame the morals police so much the more energetically because its end is to cause the maximum of depreciation possible to the women to whom its action can be extended; to devote them to syphilis; and because in organizing official prostitution, it gives men facilities for indulging to excess, with deceitful appearance of hygienic security. I condemn debauchery as I do asceticism, because both imply diminution of strength.¹

Joseph Prudhomme: You are perhaps right; but I am going to write to the prefect of police, because there are some women who annoy me in my part of the town.

The Abolitionist: It was you who, the day after the Commune, sent 400,000 denunciations to the Prefecture.

Joseph Prudhomme: I do my duty in denouncing vagabonds and idlers. I could wish that neither women nor men should come to Paris until they have proved that they have the means of existence. I approve Eugène Delattre for having brought forward an act concerning the bullies.

The Abolitionist: Ah! yes, the bully has replaced the Prussian spy. You see him everywhere. The madness of persecution always requires a devil. I believed you married a rich wife?

Joseph Prudhomme: Yes.

The Abolitionist: Well, you are a legal Alphonso, and you must come under the application of the law of this new Cato, whose first victims will be the director of the *Théâtre Français*, both public functionaries. (Art. 6 of the scheme.)

Joseph Prudhomme: It would perhaps have been better to propose a law against prostitution.

The Abolitionist: So be it; but it is an offence which can be committed only by twos. If you pursue the seller, you must also pursue the buyer. Look out for yourself, Prudhomme!

¹ See my book: *Etudes sur les doctrines sociales du Christianisme*.

CHAPTER SIXTH.

THE ARGUMENTS OF RATAPOIL.

THEN comes Ratapoil with his gang: "Seize me all that!" He makes raids and arrests right and wrong. One day he lays hold of the wife of Joseph Prudhomme, and she cries out loudly. Then he taps Joseph Prudhomme on the shoulder, puts his hand on the collar of Thomas Diafoirus, and of the new Cato, saying the while:

"Oh! oh! the empire has fallen. The 24th May and the 16th May have not succeeded. The prefect of police has undergone rude assault. That matters nothing. With the morals police, I shall always have people for my espionage; I shall get to know all kinds of secrets, important or otherwise; I shall have good windfalls; I shall always be above the law. Individual liberty will only be a word. Those who invoke my power against the women will be unwilling to complain if I make themselves feel it on occasion. Whilst I have the morals police, I shall be master of Paris.¹

¹ At the moment when these lines are being printed, I find in the *Intransigeant* (10th April, 1882) the following history:

"We receive news of a truly extraordinary fact.

"Last month a young woman living at 65 *Rue des Panoyaux*, Madame P——, suddenly disappeared. Her husband, most uneasy at this, put himself on her quest, and sought for her in every direction, making inquiries at the prefecture and at the Morgue, but uselessly.

"All at once, some days ago, by the most wonderful chance, he learned that she whom he mourned already as lost, had been arrested in a *rafle* as she was returning from her work in the evening, and was locked up at Saint-Lazare.

"Cast into prison, she had to undergo an inspection. The marks of a recent accouchement compromised her. She wished to write. The letters did not reach their destination.

"Is not this an unheard-of thing?

"The unhappy husband addressed himself to the prefect Camescasse. There was no reply. He is yet waiting the order for liberation.

"Such are the facts as they have been related to us by a lawyer who is following up this incredible business, and assisting those interested in it by his counsel."

But, silence ! . . . We must not say so too loudly, since there are yet simpletons who do not understand this, notwithstanding the imprudent avowals of M. Lecour.”¹

NOTE.—These lines were written before the ambuscade of the 27th May last, organized by the police against the students. It afforded a striking lesson to all those who have a tendency to say : “ Oh ! whilst the police only maltreats vagabonds and prostitutes, that does not concern us ! ” Ratapoil has shown them that all are equal before his bludgeon from the moment that he is left in possession of it.²

¹ *La Campagne contre la préfecture de police.*

² See *Conseil municipal*, 2 Juin, 1882, *interpellation Yves Guyot : Chambre des députés*, *interpellation de Lanessan*, 7 Juin ; *audience du Tribunal de police correctionnelle des 3 Juin et 7 Juin.*

CHAPTER SEVENTH.

CONCLUSION.

- I.—Substitution—Preventive means—Improved morals of the consumer.
- II.—Hygiene—Shameful diseases—Absence of hospital practice—Medical informers—Care in order to cure.
- III.—The public road—Keep moving on—Outrages on police agents—Correctional jury.
- IV.—Article 334—Destruction—Utility of destruction.

I.

BUT what would you put in the place of the morals police?

Joseph Prudhomme always requires something to replace an evil. If we were to stamp out fever to-morrow, he would ask, with horror :

“What are you going to put in its place?”

To restrain prostitution there are certain preventive means which go to the foundation of our social organization: such as the revision of the Articles of the *Code civil* relating to marriage, and to natural children; the modification of Article 1133 of the *Code civil*, in such a way that “*l'obligation*” springing from engagements referable to sexual relations between man and woman outside legal marriage, shall be lawful; and lastly, the thorough transformation of the morals of the day, which make a father say to his son, when he sends him out into the world :

“Amuse yourself if you will, but let there be nothing binding!”

And which makes a *bourgeoise* (cockney) mother say to her son who has been sufficiently attentive to the former counsel :

“I will never consent to a *mésalliance* with a girl from nowhere!”

These are questions which I reserve for treatment in a coming volume. I can here only mention them, as well as the questions of public assistance, and education of women, &c.

But I consider it a great error to believe that a state of things such as is prostitution, can be modified by the will of the woman

alone. Bastiat, speaking in a general sense, has with reason formulated this truth, which is constantly lost sight of by those who govern us: "Humanity will become perfect, not by improved morals on the part of the producer, but on the part of the consumer."¹

II.

From a hygienic point of view, if we wish to cure syphilis, we must first get rid of the old prejudice which still looks on it as a shameful disease. Against it, the public willingly employs police regulations, restraint, and annoyances, as prophylactic means; and forgets only one thing—to care for it. The majority of provident and mutual benefit societies refuse assistance to men attacked with venereal diseases. At Paris they are admitted into only one hospital, the *Midi*. A single voluntary hospital is open to women—*Lourcine*. Some of the dormitories in the *Midi* bring a prison to mind.² At *Lourcine*, before 1871, there was a dungeon, instituted by Dr. Desprès, and which M. Fournier suppressed. It is the rule to give no assistance to patients when going out from the *Midi* and *Lourcine*. On the other hand, some of the doctors of *Lourcine* declare that they denounce their patients to the police.³ Surely a singular way of understanding medical secrecy, and of inducing women to come and be cured!

Although treatment as out-patients has often been asked for, the means for this are entirely insufficient.⁴ Free (gratuitous) dispensaries would produce the best results at little cost, for in the vast majority of cases it is not necessary for patients suffering from venereal diseases to keep either their bed or their room.

M. Fournier has only instituted hospital practice at *Lourcine* with the greatest difficulty. The majority of doctors who talk about venereal diseases "in the name of science," only know them by hearsay or by accident.

All the hospitals must be open for venereal cases, whether men or women. These cases must be kept there, not by constraint, which will prevent them entering, but by their being

¹ Bastiat, *H. écon.*, p. 234.

² Dr. Bourneville, *Rapport sur l'hôpital du Midi*. 1880.

³ *De la propagation de la syphilis, par le Docteur Martineau, médecin de l'hôpital de Lourcine*, p. 8.

⁴ See my *Rapport sur les services de salubrité*. Dec., 1880.

made comfortable, which will make them remain. Above all, public assistance must not be dependent on the prefecture of police, nor must the doctors, even of free hospitals, constitute themselves informers.

In one word, I ask common rights for the sufferers from venereal diseases, affirming that the only method of curing them is to care for them.

III.

And the public road ? resumes Joseph Prudhomme.

Here the police has a duty, or rather, it ought in this occasion to exercise its real function from the standpoint of the public road : keeping up movement.

Prostitutes embarrass and hinder free circulation in certain quarters, and in certain places ; granted. Then the police must intervene ; but how ? Not by making a raid, a razzia, with a violent brutality whose effect only lasts as long as the fear which it inspires ; but on the contrary, with method and perseverance.

The corner of a street is invaded by prostitutes. A certain number of *gardiens de la paix* must be sent there, in uniform, and under the surveillance of a sous-brigadier, or brigadier, with the simple order to prevent men or women remaining stationary. These officials must stay there for a sufficient number of days to break up an acquired habit. We may be sure that the women will quickly remove from a place where they find *gardiens de la paix* instead of clients, and these latter will follow them. The police will have attained its end. If it is objected that it will have to recommence the same work at another point, we do not contest it ; but its rôle is every day to recommence the work of the day before. It will not suppress prostitution by this means, it is clear ; but it will have disencumbered the encumbered point, and so it will have fulfilled its task, and satisfied its wish to "sweep the causeway clear." If the actual, material sweeping of the causeway only occurred once, and by chance, it would always be dirty ; in the same way, the work of the police should not be accidental, but permanent.

I am convinced that its persevering action will be so efficacious that those who the most loudly ask that the causeways shall be disencumbered of the women, will be the first to ask

that the causeway shall be disencumbered of the *gardiens de la paix*.

So that the women, incommoded in their habitual stationary haunts, will rapidly desert them, and take refuge in the cafés or the ball rooms, where only the people go who are most willing to go.

“And if the women resist the orders of the police agents?” asks one. One might think really that the police is disarmed, whilst on the contrary the Penal Code puts at its disposition two kinds of offence which it very well knows how to make use of. These are the offences of rebellion, and of outrages upon the agents. See extracts from article 209 of the Penal Code: “Every attack upon, and every resistance accompanied with violence to the officers or agents of the administrative or judicial police, constitutes, according to the circumstances, a crime, or an offence.”

By virtue of article 212, rebellion, by a single unarmed person, may entail imprisonment for a period varying from six days to six months; if in company and with arms, it is a case for the assize court, and may be punished by hard labour and solitary punishment.

As to outrages upon and violence towards the depositaries of authorities and public power, they are provided for by articles 223 to 233 of the penal Code. Violence towards agents of public authority is punished by imprisonment of from one to six months. Outrage by word of mouth upon a magistrate of the administrative or judicial order (say a commissary of police), may be punished by an imprisonment of from one to twelve months.

We will not here discuss the character of these offences, but in face of these penalties it cannot be said that the police is disarmed with respect to such offences. On the contrary, we see every day the abuse which is made of them, and in the actual state of things it would be this abuse which we ought to fear.

But, however great might be this abuse, it is a far better thing than the régime of the morals police. A certain number of women will render themselves guilty of rebellion, or of outrage upon the agents. They will be prosecuted, with the same legal safeguards as those which surround the liberty of men. Doubtless, these safeguards are weak; the organization of the tribunals of correctional police is worth nothing, but it is the common right. Whatever it be, it is better than the arbitrary power of the police.

These women will be arrested and condemned ; we may be certain that the magistracy will not be indulgent towards these offences. There will be examples which will furnish reflection to those who might be tempted to imitate. We may be sure that in the end it will be sufficient for an agent in uniform only to issue his injunction to have his order obeyed.

The institution of the correctional jury would be a useful corrective to this organization. The jury would represent the mean or average of opinion. Punishing the accused severely, if the police was doing its duty expediently, or acquitting, if it was abusing its power, this jury would be its regulator.

IV.

Yet one point : 1st, I ask that article 334 of the Penal Code, on inciting minors to debauchery, should be applied less to the procurers than to the clients ; 2nd, that all houses, whether brothels or convents, which are based on the régime of sequestration, shall be shut up.

And that is all ?

Yes ! for the question is not to substitute one organization of prostitution for another, but to destroy the organization of official prostitution.

No more of this caste of pariahs, under pretext of social necessity ! common right for all men and all women !

As to the utility of this work, I go back to this truth stated by Buckle :

“All great reforms which have been accomplished have consisted, not in making something new, but in unmaking something old.”

